

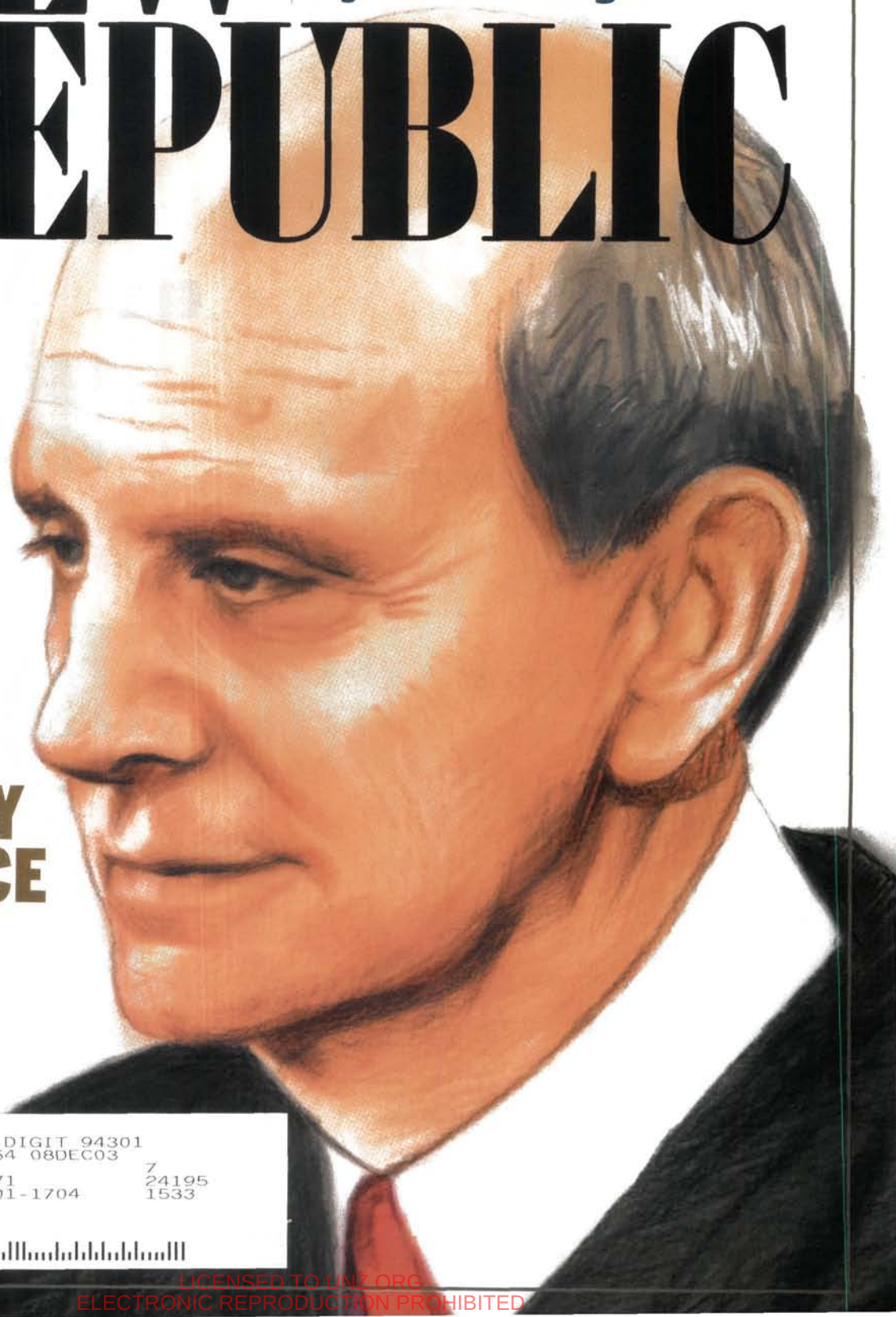
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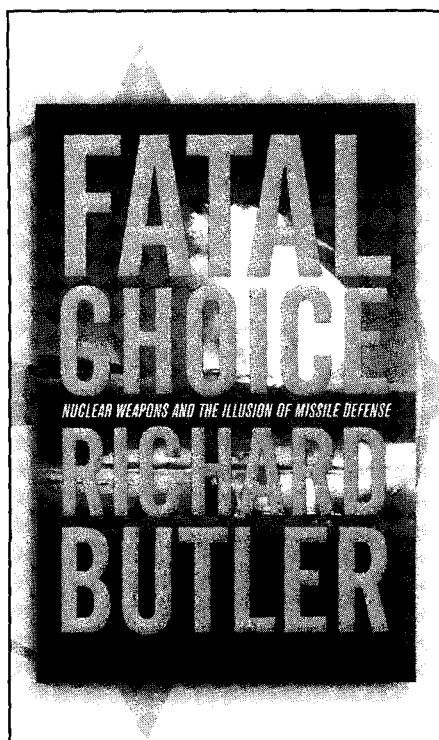
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On the Cover : Illustration by JOE HEROUN

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Blush fest

TO THE EDITORS:

An item in the December 3 Notebook decrying the absence of men from Washington's newly proclaimed campaign to help the women of Afghanistan (and implying, but not demonstrating, that men were deliberately excluded) referred to "the feminine mush-fest on Saturday on CNN." THE NEW REPUBLIC provided two quotes from that "mush-fest": statements by Senator Kay Bailey Hutchison respectively lauding the effort "to rally all the women of our country and the world" and asserting that "women members of the Senate and House are going to pass this bill." This sounds like boilerplate political rhetoric to me. Is there other evidence that the CNN event was a "mush-fest," or does TNR believe that every gathering of women, lacking the tincture of testosterone, dissolves into a "mush-fest"?

ELIZABETH ARENS
Washington, D.C.

White heat

TO THE EDITORS:

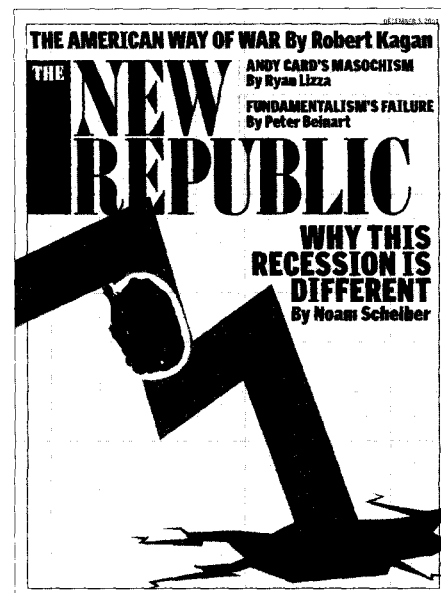
Contrary to Michelle Cottle's Washington Diarist, entitled "White Hope," white supremacists and Islamic fundamentalists are not allies in the fight against globalization and multiculturalism (December 3). Though both of their platforms support violence and hate, ideologically the groups differ immensely. White supremacists assert the superiority of the white race over other races, not just a separation of cultures. In contrast, Islamic fundamentalists sanction and execute heinous acts of violence, seeking to preserve an identifiable culture and religion, not the establishment of a racial hierarchy positioning Muslims on top. Indeed, the ideal worlds envisioned by Islamic fundamentalists and white racists are diametrically opposed—the former being cultural and social isolation and the latter being dominance. Essentially, the only real common thread that exists between them is intolerance, hatred, and violence. Cottle fails to identify how the commonality of her chosen subjects differs from that of any other hate group.

SHAHKIRA DOUGLAS
Washington, D.C.

Orientation

TO THE EDITORS:

Kudos to Franklin Foer for exposing the bad faith of the academic "experts" at the Middle East Studies Association (MESA) meeting this fall in San Francisco ("Disoriented," December 3). A few of us at the



University of San Francisco noticed a disturbingly similar phenomenon after U.S. bombs began falling on Taliban troops in October. Of all the articles written in official university publications, and at most events on the campus to discuss the war, the reigning assumption was that the principles of peace and justice were being contradicted by U.S. government actions in Afghanistan. Never mind that it was the Taliban, not the U.S. Army, that caused the most casualties and suffering in six years of totalitarian rule—during which no schools, roads, or hospitals were built; ancient art and culture were destroyed; and Afghan women were treated worse than animals. Never mind that with the liberation of Kabul, the Afghan people rejoiced at their newfound freedoms. Although some warlords resented the presence of American troops, most Afghans welcomed American involvement as the best hope for rebuilding the nation after 20 years of civil war. All of this our students did not hear.

Finally a minority of faculty members challenged the reigning dogma in a November 12 debate, co-sponsored by the USF Department of History and the Center for the Pacific Rim, on whether the response to September 11 constituted a just war. Many of the fallacies of the anti-American side were exposed; but, more

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importantly, we found that the students began to understand that they had been fed a lot of tendentious arguments. Luckily for the world, most residents of the ivory tower are powerless to translate their dogmas into real public policy. And luckily the Afghans and the “people in the street” don’t much listen to us anyway.

ELLIOT NEAMAN
Associate Professor and Chair
Department of History
University of San Francisco
San Francisco, California

TO THE EDITORS:

I went to the same MESA meeting as did Franklin Foer, and his reactions to it strike me as just more academy-bashing. It is true that scholars of the Middle East are at pains to avoid any appearance of equating terrorism and Islam, and yet perhaps it is also true that they have shied too far away from the topic of terrorism itself. Still, if Foer had browsed through the book exhibit at the MESA meeting, he would have encountered not only a number of recent books by the meeting’s attendees about Osama bin Laden, terrorist networks, and the dangerous situation in Afghanistan before September 11, but also others about democratic reform in the region—as well as a wide range of material on the complexity of Islamic “fundamentalist” movements throughout the world, most of which do not involve international terrorism. All of these books would have been more helpful to someone trying to make sense of September 11 and its aftermath than Martin Kramer’s intra-academic diatribe. Most scholars of the Middle East do not see terrorism at the center of the Islamic world, as do Foer and Kramer. This does not mean that they are not providing us with valuable information and research to think about our current predicament. It means just the opposite.

MARY MURRELL
Senior Editor
Princeton University Press
Princeton, New Jersey

TO THE EDITORS:

Franklin Foer’s report from the frontiers of MESA implies that the debasement of this corner of academia is a relatively new phenomenon. We need only recall the thunderously negative reception during the 1950s of Elie Kedourie’s reinterpretation of England’s calamitous role in the Middle East during the early twentieth century, or his approach during the 1960s to the Western intellectual origins of Middle Eastern and African nationalism, to

see how little has changed. Kedourie’s painstakingly honest scholarship laid bare myths of the right and the left, which resorted quickly to attacks on his scholarship and background. Only today’s politically correct rhetoric is remotely new.

No doubt many useful, small insights are to be found at a MESA meeting. Foer’s report, however, once again brings up the question of whether, at the very least, the public interest—at public universities—is well served by this deliberately arcane, jargonized, and politicized field, and the otherwise stale question of “tenured radi-

cals.” Academic American Middle Eastern Studies is, in the truest sense, self-serving and, for all its posturing, contributes virtually nothing to the lands and the peoples it studies. But in its sheer anti-Western bias and fortunately unrealized potential to influence public debate and policy, it represents a fairly rare example of why “tenured radicals” matter.

ALEXANDER H. JOFFE, PHD
Director
West Asia Environmental
Security Project
New Rochelle, New York

PUBLIC PROGRAMS

HOLOCAUST TRIALS AND HISTORICAL EVIDENCE

SEPARATED BY 40 YEARS, TWO HISTORIC TRIALS RELATED TO
THE HOLOCAUST ARE EXAMINED IN PROGRAMS FEATURING KEY
COURTROOM PARTICIPANTS AND NOTED EXPERTS.

AN EVENING WITH . . . ROBERT JAN VAN PELT
Thursday, January 24 • 7 p.m.

Professor Robert Jan van Pelt from the School of Architecture of the University of Waterloo, Canada, was an expert witness at the landmark 2000 libel trial in London, in which historian Deborah Lipstadt successfully defended against David Irving’s charge that her book *Denying the Holocaust* wrongfully characterized him as a Holocaust denier. Interviewed by Joan Ringelheim, the Museum’s Director of Oral History, van Pelt discusses the trial and his key testimony on gas chamber construction.

THE TRIAL OF ADOLF EICHMANN
Tuesday, February 12 • 7 p.m.

Captured in Argentina by Israeli agents in 1960, Adolf Eichmann—a Nazi official central in the Holocaust’s creation and orchestration—was tried, convicted, and executed in Israel for his crimes. In addition to a screening of footage from the trial, key individuals from the trial join together for a panel discussion, including Gabriel Bach, trial prosecutor, and Peter Malkin, the Israeli agent who captured Eichmann.

The two programs above are made possible by a grant from The Blanche and Irving Laurie Foundation.
Cosponsored with the Embassy of Israel and presented with the support of the Office of Special Investigations of the U.S. Department of Justice, B’nai B’rith International, and the B’nai B’rith Klutznick National Jewish Museum.
Admission is free. For reservations, visit www.tickets.com or call (800) 400-9373. Service fee applies.

FROM THE MUSEUM’S CENTER FOR ADVANCED HOLOCAUST STUDIES:

**AUSCHWITZ, THE END PHASE:
DISSOLUTION, LIBERATION,
FORENSIC STUDY, 1945–46**
Thursday, January 24 • 2–4 p.m.

Auschwitz’s final year is explored from three perspectives: the concentration camp system’s collapse, the experience of inmates, and Soviet and Polish forensic investigations after liberation. The panel: Robert Jan van Pelt, University of Waterloo, Canada; David Bayer, Holocaust survivor; Joachim Neander, Historian, Auschwitz-Birkenau State Museum.

**HISTORICAL STUDY OF THE
HOLOCAUST BEFORE, DURING,
AND AFTER THE EICHMANN TRIAL**
Thursday, February 14 • 2–4 p.m.

The Eichmann trial’s impact on Holocaust study—including key aspects of the trial, and the evolution of Israeli Holocaust study from 1945 to the present—is examined by a special panel: Christian Gerlach, University of Maryland; Orna Kenan, UCLA; Hans Safrian, independent scholar.

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FROM CAPE TOWN

Left Out

IF YOU WANT to see how thoroughly America's conflict with militant Islam scrambles our assumptions about left and right, come to Cape Town, South Africa. The city is home to perhaps half a million Muslims, most of them descendants of slaves brought from what is now Indonesia by the Dutch East India Company in the seventeenth century. During apartheid, good leftists took it for granted that the racial distinction between Muslims (who the government folded into a larger, neither-white-nor-black category called "colored") and Africans was a pernicious and artificial construct. The leaders of the African National Congress (ANC) envisioned a racial schema like Britain's, whereby the term "black" would encompass all non-whites, whether "colored," Indian, or indigenous African. And "blacks," of course, would vote for the ANC.

But Cape Town's Muslims haven't followed the politically correct script. In April 1994, when South Africa held its first free election, Muslims (and "coloreds" more generally) voted overwhelmingly for F.W. de Klerk's National Party, the party of apartheid. And their reasons for doing so would have been familiar to Archie Bunker. Cape Town's Muslims—who are largely lower-middle and middle class—mostly live near the vast, violent African shantytowns that ring the city. They wanted law and order, and they associated the ANC—which had (understandably) demonized the police during its struggle against apartheid, and which opposed the death penalty—with lawlessness. Many Muslims also looked askance at the ANC's support for abortion rights and gay equality. They identified, it turned out, not with the forces of liberation, but with the forces of tradition and order. The Heritage Foundation should have made them all guest fellows.

And after apartheid ended, Cape Town Muslims saw their fears realized. In the first years of ANC rule, crime—long a problem in nonwhite areas—began spiraling out of control. South Africa's new openness to the world turned it into a magnet for organized crime, and drug

gangs roamed Muslim communities with impunity. In December 1995 a group called People Against Gangsterism and Drugs (PAGAD) arose to demand action from a government they considered too incompetent, too corrupt, and too civil libertarian to stop crime. After several mass meetings, PAGAD marched to parliament and gave the government 60 days to crack down. When it didn't, they began marching to the homes of suspected drug dealers and threatening them with execution if they didn't mend their ways. In August 1996, PAGAD vigilantes allegedly murdered the co-leader of one of Cape Town's most powerful gangs. A poll taken soon after the group was founded showed that two-thirds of Muslims in the Western Cape (the province that includes Cape Town) supported its actions. Your average, Bernard Goetz-sympathizing American conservative would have surely agreed.

But there was a twist. While some in PAGAD called it a secular organization open to non-Muslims, a more powerful faction saw the restoration of security as dependent on the restoration of morality. That meant an Islamic revival, and in Cape Town, as in so many other Muslim communities in the 1990s, an Islamic revival meant rising hostility to the West. In September 1996 a former PAGAD leader said the group was actually a front for Qibla, a Hezbollah-inspired organization that wanted to create an Islamic state in South Africa. In April 1997 there were accusations that PAGAD members had been sent for training in Libya and Afghanistan. In August 1998 the government accused PAGAD of bombing a Planet Hollywood at the Cape Town waterfront. Observers speculated that the attack on an American-themed restaurant was payback for the Clinton administration's missile attacks against Afghanistan and Sudan, which had occurred just days earlier. In May 1999 the United States placed Qibla and PAGAD on its list of suspected terrorist organizations. And after the United States bombed Afghanistan this fall, Qibla reportedly said it was considering retaliation.

Qibla and PAGAD's tactics have undermined their support among Cape Muslims. But the hatred of the United States that motivated them is shared by much of the community. (A February 1995 *New York Times* article described the community's "widespread hostility to the United States.") And that has probably kept South Africa's government—which still hopes to bring Muslims into the ANC fold—from unambiguously supporting America's war on terrorism. Eight days after the World Trade Center fell, Thabo Mbeki's deputy foreign minister called on the United States not to overreact to Septem-

ber 11, and to address "the root causes of terrorism"—which he defined as America's unquestioning support of Israel.

There's a lesson here for both the American left and the American right. For the left, it's that viewing militant Islam as a successor to the Third World "liberation" movements of the twentieth century (and therefore worthy of sympathy) is nutty. The Taliban surely showed that Islamism represents the opposite of gender and sexual liberation. And PAGAD and Qibla—which have allied themselves against the ANC's notions of "black" unity and empowerment—show that it often represents the opposite of racial liberation as well.

The lesson for the right is strangely similar. It's that militant Islam isn't a phenomenon of the left—powered by the anarchic poor and the intellectuals who harness them to create futuristic utopias. It's often a phenomenon driven by the American right's favorite class, the petit bourgeois: the people who tend small shops and tiny houses, who believe in family, faith, property, and order. And who see those values threatened by rising lawlessness, and by governments too corrupt and too ill-equipped to keep them safe. Such people turn to fundamentalism because it offers security, structure, and the perverse pride that comes from "standing up" to the West.

And just as the left must be critical enough of those people to go war with their terrorist organizations, the right must be sympathetic enough to give them an alternative to PAGAD. In this first year of the war on terrorism, American foreign aid to Africa will probably go down. That's really dumb—and it's a product of the Republican Party's mindless, outdated, and self-defeating opposition to sending money overseas for anything other than weapons. After the 1998 bombings of the U.S. Embassies in Kenya and Tanzania, the Clinton administration helped fund something called the International Law Enforcement Academy for Southern Africa (ILEA). Its aim is anti-terrorism and anti-crime, and that's a critical pairing because, without a far more effective police force, South Africa not only can't stop terrorists; it can't stop the social chaos that leads South African Muslims to seek shelter in the arms of terrorists. ILEA's budget is tiny. Former Assistant Secretary of State for Africa Susan Rice has suggested massively increasing it. And sitting in Cape Town—a city of majestic beauty and dazzling diversity threatened both by rising violence and the fundamentalism it breeds—it's hard to understand how any American could disagree.

PETER BEINART



Friends

IT IS HARD to remember this strategic fact amid the post-September realities of Central Asia, but there have been few countries more worthy of America's friendship than India. India has taken the American side on crucial geopolitical issues such as missile defense and containing China.

It has emerged as a vital economic partner, sending tens of thousands of its citizens to work in high-tech jobs in the United States and attracting billions of dollars of investments from American companies. And, perhaps most importantly, India has fully subscribed to the political ideal to which the United States subscribes: It is a multiethnic, multireligious society; a vibrant democracy—indeed the world's largest democracy—thriving in a part of the world that is woefully unaccustomed to such freedoms.

All of which makes the current situation so difficult. On December 13, five gunmen attacked the heart of India's democracy, the parliament building in New Delhi; 14 people, including the gunmen, were killed. Indian officials say the gunmen belonged to two Kashmiri separatist groups based in Pakistan: Jaish-e-Mohammad and Lashkar-e-Tayyaba. Invoking President George W. Bush's own logic—that "any nation that continues to harbor or support terrorism will be regarded ... as a hostile regime"—the Indian government has demanded that Pakistan crack down on the two groups or risk war. India has recalled its ambassador from Islamabad, imposed a host of sanctions on its neighbor, and moved 150,000 troops into strike position along the two countries' 1,800-mile border. India's stiff response to the terrorist act committed against it is an understandable one. But it is also the wrong one, not least because it jeopardizes a nascent Indo-American alliance.

One reason for this, to be sure, is America's naked self-interest. Since September 11 Pakistan has been one of America's most vital allies in the war on terrorism. And that allegiance is now more important than ever as the hunt for Osama bin Laden shifts to Pakistan. The United States cannot afford to have Pakistan move the troops it has stationed on its border with Afghanistan—troops on whom we are relying to capture bin Laden and fleeing Al Qaeda members—to its border with India.

But it is not only America's self-interest that argues against India's current course. There are larger issues here as well. The Indians claim that their actions against Pakistan are no

different from America's or Israel's actions—that they too are fighting the war on terrorism. But the analogy is not entirely accurate. For a start, America's strikes against the Taliban, and Israel's campaign against Palestinian terrorists, have never threatened to escalate into a war between nuclear powers. More important still, Pakistan's actions since September 11 suggest that, unlike the Taliban or the Palestinian Authority, it may be ready to sever its ties to terrorism.

After years of giving tacit—and sometimes not-so-tacit—support to radical Islamists, Pakistan's government, under the direction of President Pervez Musharraf, seems to have decided to cast its lot with the West. Call Musharraf an opportunist, call him a strategic thinker; but his attempted redirection of his country has spoken volumes. In a matter of days after September 11 he reversed Pakistan's policy toward the Taliban, and purged the military and intelligence service of many Taliban supporters. In the wake of the attack on the Indian parliament, Musharraf froze the assets of the two groups believed responsible and arrested 50 "extremists or terrorists" linked to them, including Jaish-e-Mohammad's leader. What's more, Musharraf has refused to rise to India's bait as it rattles the saber, taking steps to defuse, rather than enflame, tensions. The issue of Kashmir remains a delicate one for Musharraf; Kashmiri independence has been a plank of Pakistani policy for decades. In this matter, he cannot reverse course as abruptly as he did with regard to the Taliban. But after September 11, India's best hope for a peaceful and terror-free existence appears to rest with Musharraf.

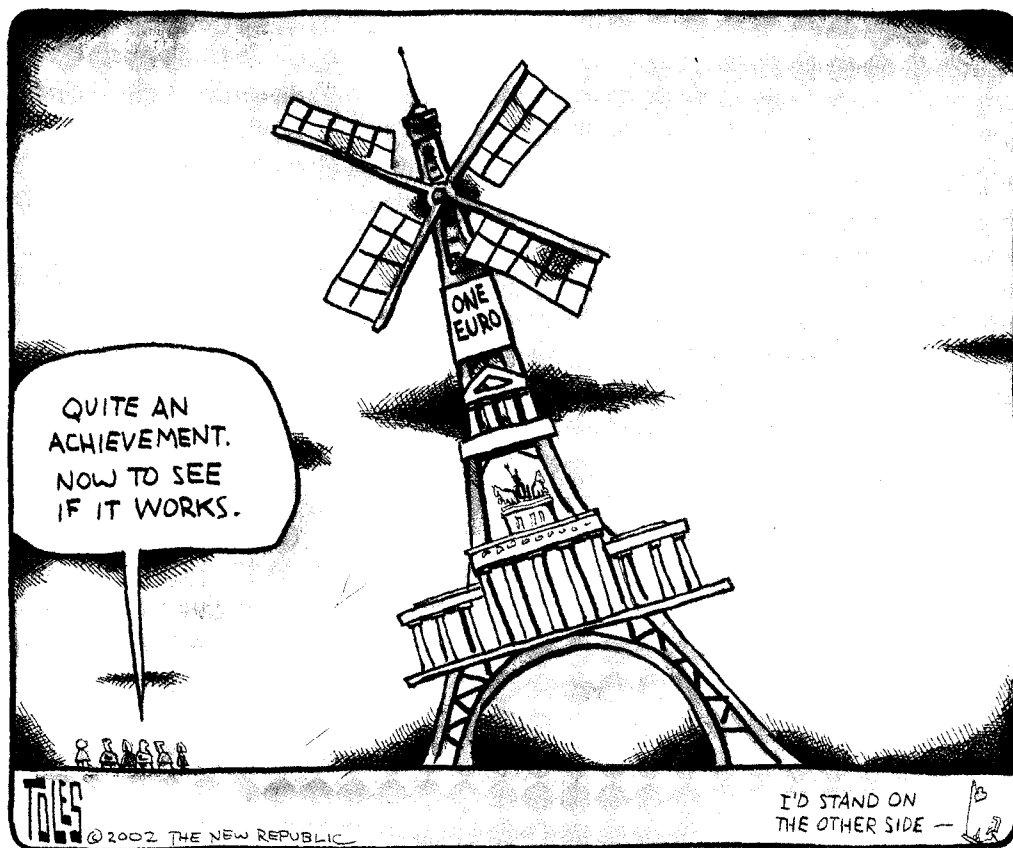
It also rests, not incidentally, with the United States. For all of Musharraf's efforts, Pakistan is still an ally of convenience for the United States; and American foreign policy prides itself on its allies of inconvenience—that is, on the alliances that are founded on philosophical and political affinities. India displays precisely such affinities: It is a democratic example to the region—a key player, with nations such as Turkey and Israel, in the global war against terrorism. And it takes only a cursory look at a map of the world to grasp that a friendship with India would serve American interests even as it ratifies American values. So this challenge for American diplomacy is a particularly delicate one. First things first, of course: Colin Powell was correct to urge India to give Musharraf a little bit of time. India initially rebuffed those entreaties but now appears to be softening its tone. It's a promising development, because the Indo-American friendship has a firm basis in reality, and deserves to have a long future. ■

SWING LOW, SWEET MARRIOTT: If you have watched any television over the last several weeks, you've probably seen an advertisement by the U.S. Travel Industry Association. It looks like something out of a Frank Capra movie: A series of average Americans quote President Bush urging his countrymen to demonstrate their patriotism by traveling in the wake of September 11, and then join together in applauding Bush. The truth, though, is closer to something out of an Oliver Stone movie—one industry's attempt to steer patriotic sentiment toward its own profit. After all, there's no particular economic benefit for Americans to spend money on travel as opposed to, say, clothing or cars. Moreover, it's highly unusual for a president to lend his image to a for-profit cause. Why did Bush endorse this particular cause? Maybe because Bill Marriott, the chairman of Marriott International who helped create the advertisement, is a major donor to Bush and the Republican Party. Indeed, as *The Wall Street Journal* reports, Marriott put together the ad after meeting with Karl Rove and other Bush advisers. It's a clever deal for both sides. The travel industry gets the imprimatur of the president. The president gets to do a favor for a major donor, and benefits from a TV commercial that portrays him in a heroic light. Who loses? The industries that don't have close relationships with Rove. And, more importantly, the people who believe in real patriotism, not the kind that's used to make a quick buck.

TOO MUCH, TOO LITTLE, TOO LATE: One of the key lessons of the Washington fund-raising scandals of the 1990s is that bipartisan sleaze doesn't get investigated as thoroughly as sleaze committed by just one party. For every Clinton White House sleepover there was a similarly squalid campaign abuse on the GOP side—Haley Barbour's foreign loans, the Dole campaign's fund-raising irregularities. In the end neither party ever really had enough credibility to investigate the other. So what do you do if you're a corporation—say, an energy giant based in Houston—and it's clear you're headed for a major scandal? Spread the money around. Which is just what Enron started doing—about one week before it filed for bankruptcy on December 2. Until that time the company had given overwhelmingly to Republicans—millions of dollars in

political donations over the years. In 2001, for example, Enron gave nearly 90 percent of its donations to Republicans. Most famously, Enron's employees gave more money to George W. Bush's various campaigns than any other company's. This history of one-sided largesse can't help but make Enron's late-November \$100,000 donation to the Democrats' Senate campaign committee look a little fishy. By then, of course, it was clear that Democrats would probably launch a massive investigation of the company's spectacular collapse. A gift to buy leniency? Probably not. In fact, there's reason to believe the maneuver was even more cynical than that. (After all, everyone knows you can't buy mercy from Senate investigators out to embarrass the president with a measly hundred grand.) The real reason for the donation, presumably, was to offer political cover to Enron's many beneficiaries in the GOP. Indeed, Republicans are already seizing upon the contribution to argue that the scandal transcends party affiliation. On FOX NEWS last week, for instance, *Wall Street Journal* editorialist John Fund argued, "It's a bipartisan scandal. When Enron got into trouble, the last contributions it made were a hundred thousand dollars all to Democrats." Shrewdly, the Democrats have announced they will give all the money away to charity. Which means that Enron shouldn't expect any charity from the Democrats.

HOMEWARD BOUND: Poor Bob Dole. First there was his ill-fated presidential campaign. Then his humiliating stints pitching Viagra for Pfizer and lusting after Britney Spears for Pepsi. Now comes this: At the age of 78, Dole has



apparently moved in with his mother-in-law. That, at least, is the impression given by the Christmas card Dole and his wife Elizabeth sent out to thousands of supporters last month. Featuring a picture of the Salisbury, North Carolina, home of Elizabeth's mother, Mary Hanford, the card reads, "From our home to yours." So have the Doles fallen on such hard times that they've forsaken their posh Watergate pad to live with the 100-year-old Hanford in Salisbury? Not exactly. The card is apparently just one more way in which Elizabeth hopes to shore up her North Carolina bona fides for her Senate run there later this year. "It's where she grew up," Dole spokesman Jay Warshaw explained to Raleigh's *The News & Observer*. But what about Bob, who grew up in Russell, Kansas? "I don't know if he has ever lived there," Warshaw conceded to *The News & Observer*. "But he has spent holidays there, particularly Christmas for the past 28 years." Memo to Bob: North Carolina's gubernatorial race is coming up in 2004...

OUR EVOLVING CONSTITUTION: "Some day someone will have to explain how the political establishment in Washington, self-appointed protectors of the city's culture, showed so little interest in asking into Mr. Clinton's overturning of the traditions and processes of the federal government. Something as simple as recess appointments.... This brazen flouting of the Vacancies Act and Congress's authority to confirm nominees has brought howls from the likes of Senator Robert Byrd. But other than critics on 'the right,' the rest of Washington can't even stir itself."—*The*

Wall Street Journal editorial, March 4, 1999

"Should the President not now exercise his legitimate authority in making recess appointments, he will signal to the Daschle Democrats that they will pay no price for monkey-wrench politics."—*The Wall Street Journal* editorial, December 26, 2001

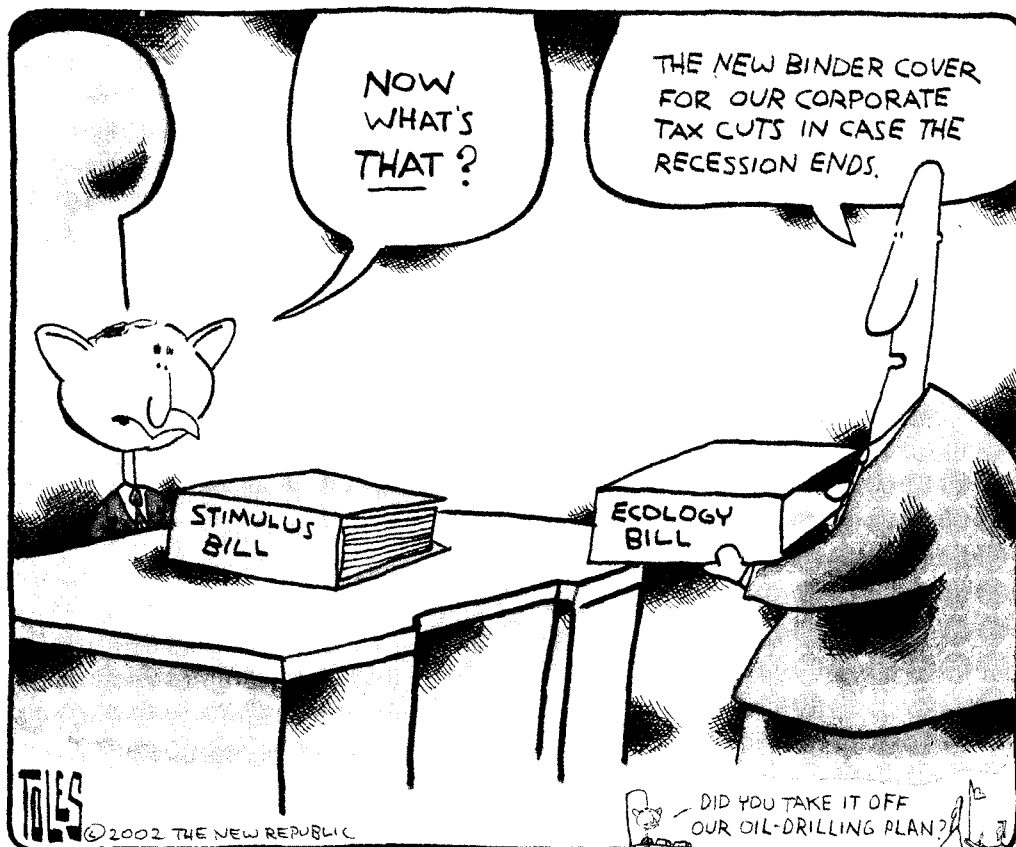
A N UP AND DOWN YEAR: "INDUSTRIALS, NASDAQ FINISH DREADFUL YEAR ON SOUR NOTE"—*The Wall Street Journal*, January 2

"ENDING A ROUGH YEAR ON A BETTER NOTE"—headline on the graphic accompanying that article

GO WEST: It should be no surprise that Harvard's new president, Lawrence Summers, recently asked Professor Cornel West to get serious about his scholarship. Summers, after all, is the rare university president who cares more about academics than fund-raising; and West's activities of late—spending more time recording a rap CD and stumping for Al Sharpton than doing academic work—could not have sat well with him. But West has responded to Summers's reasonable request by raising the issue of race, privately questioning, according to *The Boston Globe*, Summers's support of affirmative action—which in turn has led Jesse Jackson and others to question it publicly. West, of course, loves to mau-mau; and the confrontation with Summers was simply too good an opportunity to pass up. In an effort to raise the stakes,

West is now threatening to leave Harvard for Prince ton. So the question is: Will West continue to do nothing at Harvard? Or head south to do nothing at Princeton?

DEPARTMENT OF CORRECTIONS: A November 12 piece, "Fevered Pitch," by Franklin Foer, and a December 24 Notebook item, "Flopaganda," both incorrectly attributed a statement to the Council on American-Islamic Relations' executive director Nihad Awad. The statement, about the involvement of Mossad and Egyptian intelligence in the 1993 World Trade Center bombing, appeared in an unsigned editorial in the March 31, 1994, issue of the *Muslim World Monitor*, where Awad was the contributing editor. We regret the error. ■



Can Congress recover from 9/11?

Mail Drop

By NORMAN ORNSTEIN

EVER SINCE SEPTEMBER 11 the executive branch has been front and center on America's political stage. The president, once caricatured for quitting work at five o'clock and spending more time at his ranch than at the White House, is now viewed almost universally as the leader of the free world. Donald Rumsfeld and Colin Powell are media superstars. Even the more obscure cabinet secretaries, like Norm Mineta and Tommy Thompson, have become near-celebrities.

The legislative branch, by contrast, has largely receded into the background. As recently as this past summer, it was Congress that was setting the agenda in Washington. (Remember the patients' bill of rights?) But since the terrorist attacks, Capitol Hill has largely followed the White House's lead—passing the president's education and anti-terror legislation, granting him trade promotion authority, and ultimately abandoning an economic stimulus package when the president didn't like the Senate's ideas.

But Congress has receded in an even more fundamental way in the past several months. Long celebrated as the most open political institution in the world, Congress has become cut off from the public. Members have traditionally maintained a close connection to constituents through the immediate turnaround of mail, and regular, face-to-face contact with voters both at the Capitol and back home in their districts. But since September 11 these connections have all become increasingly tenuous.

Consider the postal situation on Capitol Hill. Answering mail is at the core of operations for every member of Congress. At least half of the 11,200 staffers on Capitol Hill spend time on constituent mail—processing, organizing, cataloguing, writing and sending responses. Virtually all members of Congress have prided themselves on their quick mail turnaround, answering most constituents in a matter of hours or days. The first piece of advice given to freshmen, especially those from shaky or ideologically incompatible districts, is to get the mail operation in shape; constituents will forgive a lot of errant votes if they think their lawmakers are responsive to their individual needs or demands.

But since the terrorist attacks—and especially since the anthrax-laden letter sent to Senator Tom Daschle—the mail service for Congress has been frozen in place. According to estimates, more than 300,000 pieces of mail to members of Congress have been quarantined, awaiting irradiation. Many of the people who wrote these letters have no idea why

they haven't received a reply. What little mail has trickled into congressional offices, one House member told me over the holidays, "has been so irradiated it literally crumbles in your hands."

Even when all the mail is ultimately delivered, it's unclear what many senators will be able to do with it: The Hart Senate Office Building, home to 50 of the 100 senators, has been shuttered because of the anthrax letter, leaving legislators and their staffs homeless, often crowding into small committee spaces, Capitol hideaways, and the offices of accommodating colleagues in the other two Senate office buildings. Iowa Senator Charles Grassley, the powerful senior Republican on the Finance Committee, has been forced to send his staff to five separate locations, including the conference room of Illinois Senator Peter Fitzgerald and a postal annex blocks from the Capitol. Majority Leader Tom Daschle has said that it's possible the Hart refugees will be able to return to their building later this month. "I can only hope we'll have some time before Congress starts up with the budget and terrorism to get moved back, organized, and get out from under," laments one staffer.

Then there's the matter of human traffic. According to the Capitol Preservation Commission, some 4 million people visit the Capitol every year, many of them American tourists and schoolchildren—voters and voters-to-be who can see the legislative process in action and make a direct connection to their members of Congress. Before visitors can sit in the galleries and watch the House or Senate in action, they must obtain gallery passes, which Congress cleverly makes available only at their representatives' offices. There, staff people can offer constituents brochures, pocket Constitutions, maps, warm words, and a lasting impression of the diligence and concern of their lawmakers.

Visits to the Capitol have dropped like a rock since September 11. To pick one indicator, the kiosk of the U.S. Capitol Historical Society, in the middle of the Capitol, averaged 17,000 visitors per day before the attacks; since, the kiosk has received about 300 per day. Paranoia about anthrax all over Congress obviously hasn't helped, but the additional security measures taken since the attacks have also made a difference. Never a particularly visitor-friendly place, the Capitol was at least open and accessible. Now, surrounded by security personnel and concrete barriers, the open house of the people seems more like an armed camp. It is extremely difficult to get into—or exit—the Capitol, with concrete barriers, metal detectors, Capitol police, and National Guard troops everywhere. In October, Congress reinforced these physical barriers with a procedural one, postponing tours of the Capitol itself for nearly two months.

Finally, there's the matter of travel. Since the arrival of jet airplanes, most members of Congress have gone home every weekend—spending their time giving speeches, holding office hours for constituents, and glad-handing at nursing homes and schools. (Indeed, most newly elected members now keep their families in their districts rather than moving them to Washington.) As such, lawmakers have honed to precision a certain schedule. Working on Capitol Hill from Tuesday to Thursday, members of Congress typically stay late at the Capitol on Thursdays and then race to nearby Rea-

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Regulation Is the Biggest Pest of All

Henry I. Miller is a research fellow at the Hoover Institution and the author of *To America's Health: A Proposal to Reform the Food and Drug Administration*.

Agriculture in northern California, one of the region's major industries, is under threat from an insect called the glassy-winged sharpshooter. These leaf-hoppers carry Pierce's disease, a lethal bacterial infection of grapevines, citrus, and other plants, for which there is no cure. They have migrated from Mexico and are now causing millions of dollars in damage annually to California's vineyards.

But the worst is yet to come: the infestation currently threatens the San Joaquin Valley's 800,000 acres of table, raisin, and wine grapes, and involvement of the premier wine-making regions of Napa and Sonoma cannot be far off.

The meager weapons available to attack the sharpshooter include inspecting plants shipped from areas known to be infested by the insects and spraying chemical pesticides; scientists are also experimenting with a wasp that preys on the glassy-winged sharpshooter. In the long run, however, these methods will likely fail. As Dale Brown, president of the Napa Valley Grape Growers Association, acknowledges, **"genetic resistance is where we want to go." But this definitive solution has been made hugely expensive and impractical by regulatory obstacles erected by the Environmental Protection Agency (EPA).**

To introduce or enhance resistance to Pierce's disease in grapevines, one logical approach is to transfer genes that confer resistance into grapes from distantly related, noncommercial grapes that possess natural immunity. But conventional grape breeding is a notoriously slow process, and attempts to use more-sophisticated and efficient gene-

splicing techniques have run afoul of EPA regulatory policies.

The EPA treats any plant that has been modified with gene-splicing techniques to enhance its pest or disease resistance as though it were a chemical pesticide. This policy flaunts the widespread scientific consensus that gene-splicing is more precise, circumscribed, and predictable than other techniques and that foods from the new, insect-resistant gene-spliced plant varieties have lower levels of contamination by toxic fungi and insect parts than those from conventional varieties. Thus, these gene-spliced varieties not only increase yields and make better use of existing farmland but are a potential boon to public health. Moreover, by reducing the need for spraying chemical pesticides on crops, they are environmentally and occupationally friendly. Yet the EPA holds gene-spliced plants to an extraordinary standard, even requiring hugely expensive testing as though they were pesticides. **These policies are, in effect, a punitive tax on a superior, and badly needed, technology.**

Dozens of major scientific societies have condemned the policy, warning that it will discourage the development of new pest-resistant crops, prolong and increase the use of synthetic chemical pesticides, increase the regulatory burden for developers of pest-resistant crops, expand federal and state bureaucracy, limit the use of biotechnology to larger developers who can pay the inflated regulatory costs, and handicap the United States in competition for international markets.

All these predictions have come true. California is already reaping what the EPA regulators have sown; they should now be held accountable.

— Henry I. Miller

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gan National Airport—where they enjoy special privileges like close-in parking—to catch the last flights out of town, often with seconds to spare.

But lately this precise schedule has gotten all mucked up. Reagan National, of course, closed down entirely for weeks following the attacks, then reopened with sharply curtailed flight schedules and new, heavy security procedures. Many members once used to the convenience of an eight- to ten-minute drive to Reagan National now have to look elsewhere—Dulles International Airport, which is 40 minutes from Capitol Hill, or Baltimore-Washington International Airport, which is more than an hour away.

Unfortunately, none of these disruptions are likely to be short-term. Even after the current mail backlog is cleared, new security measures will have to be employed, sharply slowing down delivery and increasing constituent crankiness. Similarly, even assuming there are no further anthrax scares or other terrorist incidents, it's doubtful that the number of visitors to Capitol Hill will return to its pre-September 11 level any time soon. And the lawmakers themselves, faced with the new realities of air travel, will likely wind up going home less often or shortening the amount of time they spend there when they do. Several Republican House members have already talked to Majority Leader Dick Armey about changing the House floor schedule to make it more family-friendly.

With jet air travel and modern telecommunications, Congress grew almost obsessively close to constituents in recent decades, in some cases subordinating thoughtful deliberation to real-time, campaign-style interactions with voters. But those connections—including the opportunity for average voters to see their lawmakers up close and personal, and to know that they have direct access—are a cornerstone of America's form of democracy, one of the characteristics that distinguishes Congress from most parliaments. A Capitol that resembles an armed camp, and a growing sense of physical remove between our representatives and those they represent, is a sore price to pay in the nation's war on terrorism. But for the time being, it's not clear we have a choice. ■

What ever happened to the GOP governors? Set Aside

By JONATHAN CHAIT

HERE'S A NAME you probably haven't heard in a while: Christie Todd Whitman. She's head of the Environmental Protection Agency, remember? In her first few months in office Whitman revealed herself on several occasions to be out of the policy loop—the worst sort of ignominy in Washington—and has since gracefully disappeared from sight. Tom Ridge's fate has been less kind. One

year ago he was a wildly popular governor lauded for his pragmatic leadership and was mentioned prominently as a vice presidential candidate. Today he is a cabinet officer without authority, consigned to serve up blather to a mildly contemptuous press corps. More pitiful still is Tommy Thompson. He was once revered by left and right for his innovations in welfare and health care (and a veep mentionee himself); pundits considered it beneath his standing to accept so undemanding a consolation prize as the Department of Health and Human Services. And since the anthrax scare, his standing has sunk so low that *New York Times* eminence R.W. Apple recently dismissed him as “a bumbler, lacking in the aura of command that makes the politicians and other people here pay attention.”

Whitman, Ridge, and Thompson have something in common besides their painful experiences in the Bush cabinet: They're former governors. Not long ago, you may recall, governors were the luminaries of the Republican Party. “Governors are role models,” crowed Thompson three years ago. “You have a group of individuals who really should be the soul and heart of the party.” Governors, gushed *The Washington Post* in 1998, “have found a formula that has escaped others in their party: They have learned how to be conservative and pro-government at the same time.” *The Times* editorialized, “From Gov. George Bush in Texas to Gov. George Pataki in New York, these Republicans rejected the ‘government is the problem’ mantra of old. They embraced the use of public resources for children's health, schools, the environment, and job placement for the poor.” The contrast between the successful governors and the unsuccessful Gingrichites in Congress served as fodder for the mainstream media's favorite kind of morality tale: Ideological stubbornness brings defeat, while moderate pragmatism brings victory.

The supergovernor idea became integral to George W. Bush's campaign. Governors circulated the tale that his candidacy was born when his colleagues at a National Governors Association meeting decided that one of their own should receive the GOP nomination. In the final weeks of the campaign, Bush barnstormed with his fellow governors, promising to bring their winning formula to Washington. After he took office it was widely assumed that governors would provide the talent and philosophical inspiration for his administration.

And Bush *has* enjoyed plenty of success as president—but not because he has imported a team of pragmatic, can-do state executives to run his administration. Rather, he has followed roughly the same path as the GOP's much-maligned congressional wing: using rigid party discipline to muscle through traditional conservative priorities. Even before September 11 the stream of national reporters decamping to the hinterlands to genuflect before the governors had slowed to a trickle. In fact, the myth of the moderate Republican supergovernor has quietly faded away without anybody consciously recognizing its untruth.

The pundits had it right in connecting the governors' popularity with their middle-of-the-road policies. But what allowed them to appear simultaneously conservative and pro-government—and what distinguished them from the congressional GOP—wasn't ideological; it was institutional.

For one thing, the element of governance that conservatives find most abhorrent is redistribution of wealth from rich to poor, and states, unlike the federal government, do very little of this. States raise more of their revenue from regressive sales taxes, and their income taxes are less steeply progressive than those paid to the Treasury. So the same Republicans who detest government at the national level can make peace with it at the state level.

The more important reason is that, starting in the mid-1990s, governors enjoyed huge budget surpluses while Congress faced huge deficits. Why did the states make out better? Because they devoted a far bigger chunk of their budgets to Medicaid—which, due to shrinking welfare rolls and plunging health care inflation, got much cheaper. Also, Congress, unlike the governors, was still saddled with leftover red ink from the 1980s. As a result, when Republicans took over Congress in 1995, they couldn't cut taxes without disastrously slashing popular spending—leaving them wide open to President Clinton's counterpunches in defense of "Medicare, Medicaid, education, and the environment."

REPUBLICAN GOVERNORS, ON the other hand, could cut taxes and still boost spending. Democratic governors practiced the same free-lunch politics, of course. But since the 1994 elections had given the Republicans control of most state capitals, this brand of governance came to be associated with the GOP. As the *Post* reported, "Republican governors are mixing education initiatives and child health programs with more traditionally conservative anti-crime and welfare reform measures, plus a healthy dose of tax cuts, to produce what in many states appears to be a uniquely palatable political diet." In other words, they were giving middle-class voters everything they wanted without demanding any hard choices. The press dubbed it a new political philosophy, when in fact it was a very, very old one.

The obvious flaw in this style of governance was that it depended on an everlasting economic boom. A few nags pointed this out at the time. Moderate and liberal think tanks issued reports urging states to set aside more of their surpluses for "rainy-day funds." But governors and their legislatures, giddy with surplus cash, preferred to keep the party going. Now, inevitably, the day of reckoning has arrived. Almost every state, including those recently presided over by supergovernors, is now suffering severe budget shortfalls. Now the governors must undertake the less pleasant task of imposing austerity measures to balance their budgets. Executives in almost every state are scrambling to undo the tax cuts and spending boosts they had promised voters. Among other things, this makes for colossally stupid economics. Even as President Bush and Congress contemplate a "stimulus bill" to pump money into the economy, states are preparing to take some \$50 billion out of the economy through tax hikes and budget cuts.

Suddenly, gubernatorial genius is in short supply. In Minnesota, for instance, Jesse Ventura faces sliding poll numbers and a series of controversies for berating the press and ignoring state business to film a cameo role in a movie. Ventura, of course, has always had a taste for bizarre self-

indulgence and media-bashing. But in the past, when he was cutting taxes and funding new programs, these traits were considered charming. Now, as he proposes to boost taxes, they're seen as reckless.

Or consider Ohio's Bob Taft. His first year in office, 1999, "couldn't have been better," reported the *Columbus Dispatch*. Taft cut taxes and boosted education spending, earning praise from Cleveland's *The Plain Dealer* as "a good governor" with "the potential to be an outstanding one." This year, though, Taft has to dig the budget out of a hole, and everything has changed. "Some GOP legislators," reported *The Plain Dealer* last spring, "are saying out loud what others have been whispering for months: Gov. Bob Taft is a weak leader." Perhaps he is a weak leader, but it's probably nothing a couple billion dollars couldn't solve.

What appears on the surface to be a huge, sudden drop in the aggregate intelligence of our nation's governors is—as a Marxist might claim—a function of a deeper economic superstructure. It should come as no surprise that Bush appointees who made their reputations as governors during the '90s suddenly find themselves humbled and irrelevant. Something similar would probably be happening if they had kept their old jobs. The governors haven't gotten dumb all at once. They were never as smart as they seemed in the first place. ■

Reform in Argentina, take two. Trade Rout

By DANI RODRIK

ARGENTINA'S DEFAULT ON its \$132 billion public debt on December 23 hardly came as a surprise to its foreign creditors, who had anticipated it for many months. It had been clear to most outside observers that the country's currency-board regime, which locks in the Argentinean peso's value one-to-one with the U.S. dollar, had held the peso at an unsustainable level vis-à-vis other currencies. It was also evident that Argentina's political system would be unlikely to deliver the belt-tightening needed to service foreign creditors ahead of domestic payments on wages, pensions, and other obligations. So, when President Fernando de la Rúa and Economy Minister Domingo Cavallo resigned and the inevitable happened shortly thereafter, few other markets around the world moved.

As is usual after a debacle of such a magnitude, fingers have been pointed at enough culprits to explain the Argentinean crash many times over: The Argentine "political class" was too shortsighted to reach a compromise on fiscal policy.

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The currency-board system was too rigid to allow Argentine exporters to regain their competitiveness following Brazil's devaluation of its currency in early 1999. Labor unions were too unresponsive to demands for reform. Cavallo pushed too many gimmicks to resuscitate the economy and lower the cost of servicing the debt. Foreign creditors were too fickle and should not have reversed course so dramatically after their rush into Argentina in the early 1990s. The International Monetary Fund (IMF) should have pulled the plug much sooner. The IMF should not have pulled the plug. But the tragedy of Argentina goes much deeper than any of these explanations. The collapse offers a humbling lesson about the limits of economic globalization in an age of national sovereignty.

EVEN THOUGH MANY in Washington would rather forget it, Argentina's policies during the '90s were in fact exemplary by the standards that neoliberal economists have advocated around the world. The country undertook more trade liberalization, tax reform, privatization, and financial reform than virtually any other country in Latin America. And no country tried harder to endear itself to international capital markets. The overvaluation of the peso was a nagging concern to be sure, because of the loss of Argentinean competitiveness. But economists have long taught that devaluation of the national currency—the common remedy to overvaluation—is of little use in a country that is financially integrated with the rest of the world, which Argentina surely was. (When banks' balance sheets are dominated by dollar liabilities, devaluation wreaks havoc with the financial system.) The Argentinean experiment may have had elements of a gamble, but it was also solidly grounded in the theories expounded by American economists, the U.S. Treasury, and multilateral agencies such as the World Bank and the IMF. When Argentina's economy took off in the early '90s after decades of stagnation, the economists' reaction was not that this was puzzling; it was that reform pays off.

The Argentinean strategy was based on a simple idea: Reduction of sovereign risk is the quickest and surest way to reach the income levels of the rich countries. "Sovereign risk" refers to the likelihood that a government will be unwilling to service its foreign obligations even when it has the capacity to do so. In domestic finance, the distinction between willingness-to-pay and ability-to-pay is much less important because courts and regulators can sanction recalcitrant debtors. But countries cannot be sanctioned in quite the same way because they are sovereign—hence the term.

Sovereign risk matters because it is an important obstacle to economic convergence among nations. If investors had no fear that their lending would be expropriated, capital would move in abundance from the rich countries where it is plentiful and yields are low to the poor countries where it is scarce and yields are high. In the process, incomes would equalize across borders. But in reality, capital often moves in the reverse direction—think of the bank accounts in Miami and Zurich maintained by wealthy individuals from developing nations. Yields may not be higher, but money invested

in the United States or Switzerland is at least safe from expropriation.

Viewed from this perspective, the challenge of economic development is reduced to three simple propositions. Economic growth requires foreign capital. Foreign capital requires removing sovereign risk. And removing sovereign risk requires a commitment not to play games with other people's money. All this made for a coherent theory, even if it did not correspond to the actual development experience of any successful country larger than a city-state. Getting rid of sovereign risk, it would turn out, requires a lot more than commitment to sound money.

THE OVERARCHING GOAL of Argentinean economic policy during the 1990s was to deliver this commitment, and even more importantly, to convince financial markets that the commitment was real and binding. The straitjacket of the currency-board regime was the linchpin of this strategy: By linking the value of the peso one-for-one to the U.S. dollar in 1991, and by putting monetary policy on automatic pilot, the regime sought to counteract the effects of more than a century of financial mismanagement. Privatization, liberalization, and deregulation further underscored the government's commitment to a new set of rules. Like Ulysses pinning himself to the mast of his ship to avoid the call of the Sirens, Argentine policymakers gave up on their policy tools lest they (or their successors) be tempted to use them to repeat the errors of the past. Their hope was that they would be rewarded with a sharp reduction in "Argentina risk," leading to large amounts of capital inflows and rapid economic growth.

For a while, it looked as though the strategy might work. In the first half of the '90s capital inflows did increase substantially and the economy expanded at unprecedented rates. But then Argentina was hit with a series of external shocks—the Mexican peso crisis of 1994 and 1995; the Asian crisis in 1997 and 1998; and, most damagingly, the Brazilian devaluation of January 1999, which left Argentina's economy looking hopelessly uncompetitive relative to its regional rival. Economic growth turned negative in 1999, and foreign investors began to worry about the repayment of the huge liabilities incurred during the course of the decade. By the second quarter of 2001 Argentina's country risk was rising relative to that of other "emerging markets." This despite of the return to the helm of Cavallo, the architect of the currency-board regime, in March 2001.

Cavallo, with his strong credibility in financial markets, at first looked like he might be exactly what Argentina needed. But his efforts to engineer economic growth through an unconventional mixture of tax and trade policies, and a bungled attempt to alter the currency-board regime by giving the euro a role parallel to that of the dollar, were not well received by markets and cost him dearly. By the end of the summer the financial confidence game was in full play. Markets demanded a huge interest premium for fear that Argentina might default on its debt. But with interest rates so high, default was virtually assured. The *possibility* that Argentina could default was enough, ultimately, to ensure that it would.

That financial markets make only fair-weather friends is hardly news. That they turned so rapidly against Argentina requires more explanation. This, after all, was a government that had focused its priorities on attaining investment-grade rating in credit markets—and on little else. The political leadership's commitment to service the external debt was not in doubt. Indeed, Cavallo and de la Rúa were willing to abrogate their contracts with virtually all domestic constituencies—public employees, pensioners, provincial governments, bank depositors—so as to not skip one cent of their obligations to foreign creditors. Yet in the end, investors still wound up thinking that Argentina was a worse credit risk than Nigeria.

What sealed Argentina's fate in the eyes of financial markets as 2001 came to a close was not what Cavallo and de la Rúa were doing, but what the Argentine people were willing to accept. Cavallo knew he had to regain market confidence in order to bring down the crushing interest burden on Argentinean debt. When his initial attempts to revive the economy produced meager results, he was forced to resort to austerity policies and sharp fiscal cutbacks in an economy where one worker out of five was already out of a job. He launched a "zero-deficit" plan, and enforced it with cuts in government salaries and pensions of up to 13 percent. But markets grew increasingly skeptical that the Argentine congress, provinces, and common people would tolerate such Hooverite policies, long discredited in advanced industrial countries. And in the end the markets were proven correct. After a couple of days of mass protests and riots just before Christmas, Cavallo and de la Rúa had to resign in rapid succession.

IN HIS ODE to globalization, *The Lexus and the Olive Tree*, Tom Friedman famously declared that the "electronic herd"—the mass of lenders and speculators who can move billions of dollars around the globe in an instant—reduces domestic politics to a choice between Pepsi and Coke, with all other flavors banished. Having donned the Golden Straitjacket so enthusiastically, the Argentina of the 1990s looked like the perfect illustration of Friedman's point. The economic policies of de la Rúa and those of the Perónists who preceded him were virtually indistinguishable. But Argentina's real lesson proved to be a different one: Democratic politics casts a long shadow on international capital flows, even when political leaders are oblivious to it. When the demands of foreign creditors collide with the needs of domestic constituencies, the former eventually yield to the latter. Sovereign risk lurks in the background as long as national politics exist as independent entities.

What one does with this lesson is less clear. Many will draw the conclusion that Argentina took a wrong turn not because it went too far in its search for the Holy Grail of globalization, but because it didn't go far enough. The solution from this perspective is to improve on the Argentina model by chipping away at national sovereignty and by further reducing the responsiveness of economic management to domestic political forces. What national governments need are stronger commitment mechanisms—a straitjacket made

of platinum, if gold proves too malleable. This is the neoliberal vision that inspires some economists and political leaders to seek full dollarization of their economies or to look at the prospective Free Trade Area of the Americas (FTAA) as solutions to the governance problems of the region. If you were to accuse adherents of this view of wanting to turn their countries into replicas of Puerto Rico—wards of the United States, in effect—they would not be offended.

BUT THERE IS an alternative vision. It is to accept that separating politics from economics is neither easy nor even desirable. Proponents of this view, including myself, would not be embarrassed to claim primacy for democratic politics over the electronic herd, no matter what the implication for sovereign risk. They would concede that economic mismanagement by sovereign governments has been very costly for the developing world, but would argue that the appropriate response to mismanagement is not a lack of management, but better management. This vision has no easy answers or short cuts to offer to Argentine policymakers. It would be nice if improved governance could be acquired simply via the discipline imposed by financial markets and trade agreements. And economic development would be a lot easier if all that were required was throwing a big welcome party for foreign capital. But the historical record shows that the solution to underdevelopment lies not with the adoption of foreign institutional blueprints or the undermining of national autonomy. It lies with enhanced state capacity to undertake institutional innovation based on domestic needs and local knowledge.

The tasks before Argentina's policymakers are colossal: to increase the economy's competitiveness through a devaluation of the currency without setting off an inflationary spiral; to reconstruct the financial system so that it serves the needs of the real economy; to diversify the economy and wean it from excessive reliance on agricultural products; and to address the pervasive economic insecurity that afflicts the middle class through new mechanisms of social insurance. Now that Argentina has cleared the deck by defaulting on its debt, the country has to get on with the hard work of rebuilding credibility for its political system—this time not for the sake of financial markets, but for the sake of ordinary Argentines.

As governments ponder these alternatives, they would do well to consider the following astonishing fact: Despite the tremendous wave of neoliberal reform that swept over the continent during the last two decades, only three economies in Latin America managed in the '90s to outdo the performance they had experienced under the inward-looking, populist policies of the past. Chile remains a success, in part because it has taken a cooler attitude toward capital inflows than the others. Uruguay looks shaky and is hardly an inspiring example in any case because its growth rate has been anemic. And Argentina now lies in ruins. Its collapse reminds developing nations in Latin America and elsewhere that they cannot postpone much longer the stark choice they face. Either they will sacrifice sovereignty in a big way, or they will reassert it vigorously. ■

**WHILE MAINSTREAM NEWS WAS BUSY COVERING
"SURVIVOR" THE TV SHOW, THE WOMEN OF BURKINA FASO
WERE PLAYING IT FOR REAL.**

With celebrity fluff and infotainment often masquerading as "news," you're less likely to hear about desperate places like Burkina Faso, a West African nation where more than 50% of the people live in poverty.

Unable to afford cottonseed oil or other ingredients, soap makers have turned to a most unnatural resource: waste spewed into a swamp by an oil refinery. These entrepreneurs wade through the toxic muck, skimming oily residue that they make into soap. Despite numerous drownings and exposure to noxious chemicals, mothers teach the craft to their daughters. They have little choice. Without soap to sell, the family doesn't eat.

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Reza Pahlavi's next revolution.

Successor Story

By FRANKLIN FOER

REZA PAHLAVI, THE SON of the late Iranian shah, closes his speeches about Iranian democracy with a signature flourish: "This is a cause I believe in and am committed to see to fruition, even if it were at the expense of my own life." At public appearances, his plainclothes security force searches bags for bombs and stands over the crowd like guards watching the prison mess.

This isn't paranoia, which famously afflicted his father. Since Ruhollah Khomeini ascended to power in 1979, Iran's ayatollahs have methodically whacked their opponents. In 1991 goons slashed the throat and wrists of the 76-year-old former Prime Minister Shahpour Bakhtiar, using knives filched from his own kitchen. One year later a hit squad entered a Greek restaurant in Berlin filled with Kurdish activists, screamed, "You sons of whores," then sprayed the room with Uzi fire. In both cases, European investigators fingered the Islamic Republic of Iran. At least 80 exiled dissident leaders have been assassinated since 1979.

During the mullah's first two decades in power, this disappearance of opposition leaders coincided with the disappearance of opposition. Though Iranian exiles in Paris and Los Angeles kept predicting the regime's imminent demise, inside the country there was not a single significant public demonstration until 1998, when protests broke out after an Iranian World Cup victory over the United States. They were followed in 1999 by student riots over the shutdown of a reformist newspaper. And this year the anti-government protests have grown more frequent and more militant—instead of championing Iran's reformist president, Mohammed Khatami, in his battles against hard-line clerics, the activists now frequently denounce him as part of the system. Throughout the fall of 2001 student protests flared up in Tehran. After Iranian victories in this year's World Cup qualifying matches, women tossed off their chadors, and men unveiled the prerevolutionary flag and chanted, "We love America!" To make sure no one missed the point, demonstrators dialed contacts at the CIA and held their cell phones in their air so U.S. intelligence officials could hear the chants. Among them: "Reza Pahlavi is our spiritual leader!"

For years Iran-watchers have dismissed Pahlavi's pretensions to leadership. "I don't take him very seriously," says Bar-Ilan University's Barry Rubin. You can understand the skepticism: Although his father's regime still has die-hard supporters, they don't represent a growing fraction of the Iranian polity; many Iranians remember the shah as repressive and corrupt. But to see Reza Pahlavi as simply a restorationist underestimates his appeal. His is a story of

reinvention, the tale of a prince who lost his title, fortune, and the love of his people, and in the process came to appreciate the virtues of democracy. He has bucked the crude monarchism of many of his supporters and serves up frank criticism of his father's regime. In fact, with Khatami's support eroding, Pahlavi's moment may soon arrive. He's rallying the fractious diaspora opposition and supersaturating Iran with posters and video messages calling for insurgency. Once exiled as the successor to a discredited throne, he has become Iran's most unlikely, and most important, spokesman for democracy.

In 1974, when Reza Pahlavi was 14 years old, his father, the shah, was diagnosed with lymphoma. As a result, the teenager's monarchical apprenticeship went into overdrive. The shah sent Reza on state missions to Egypt and England. He even designed his son his own school. But all the while, the shah's rapid modernization efforts, fueled by profits from rising oil prices, were mingling with blatant corruption to produce a massive cultural backlash. As Fouad Ajami has written, "Overnight, it seemed, villagers were hurled into cities and the balance of the country—moral, physical—ruptured.... The newly urbanized, the half-educated, the bewildered came together to topple the old order in a season of wrath and chaos."

IN 1979 REZA PAHLAVI joined his father in exile, beginning five years of nomadism—Morocco, Mexico, Panama, Bahama Islands, Egypt, and back to Morocco. In 1980, three months after his father's death and on his twentieth birthday, the prince claimed the title of shah. Seated at a marble table in a 400-room palace in suburban Cairo, he declared his "readiness to accept full responsibility as the lawful king of Iran." But it was a fantasy. The shah's old henchmen lived off Pahlavi's allowances and hatched quixotic restoration schemes—for instance, invading the Iranian island of Kish. According to Bob Woodward's biography of CIA chief William Casey, the spymaster went so far as to propose that the Agency undertake a covert campaign to install Pahlavi. The young Reza was a vehicle for other people's ambitions. Says Bill Royce, the former head of Voice of America's Farsi Division, Pahlavi "wasn't yet his own man."

But Pahlavi earnestly worked to improve himself. While in Morocco he took correspondence courses in politics from the University of Southern California. He sought out supporters of the revolution—his father's political adversaries—from the left and the right. One of his closest advisers, a former anti-shah activist named Hormoz Hekmat, told me, "He used to

talk and say to me, 'Invite your leftist friends and have some vodka and talk and eat.' ... Where his father liked to have sycophants, he likes to be with intellectuals. He likes confrontation."

BUT CONVERSING WITH critics wasn't the only thing that weaned Pahlavi from his father's autocratic legacy. He also lost his money. In 1980 Pahlavi recruited Ahmad Ali Massoud Ansari, his distant cousin and former high school teacher, to tend his \$25 million inheritance. It wasn't a wise move. Millions were shuffled into the accounts of Ansari's friends and family. When other advisers questioned Ansari, Pahlavi would reply, "No, I trust him." One day, in the wake of the 1987 stock market crash, however, Pahlavi decided to answer the charges once and for all. He went to the vaults of a Geneva bank to look over his papers. He searched the safety deposit box for his financial documents but found none. Then the bank's director asked him to leave, informing the young monarch that Ansari had issued an order forbidding Reza from viewing his own documents. After some investigation, Reza found that his \$25 million had been reduced to \$27,000. "All the rest was gone," an adviser, Colonel Ahmad Oveyssi, later told the *London Observer*. Ansari detailed his exploits in a 1992 kiss-and-tell memoir called *Me and the Pahlavis*—a book that the Islamic Republic happily permitted to circulate widely.

Pahlavi responded to the humiliation of bankruptcy not with bitterness, but with modesty. Along with his grand estate and motorcades, he abandoned royal titles. His supporters and aides began to refer to him not as "his majesty," but as "R.P.," and he discouraged them from bowing in his presence. In fact, he became a full-fledged suburban American man, married with children, an NFL fan. His friend Mahnaz Afkhami told me, "He's a regular guy. I was in a movie house in Bethesda and ran into him with his wife and a friend. He was wearing a t-shirt. I see him shopping in the Safeway."

Pahlavi's politics followed his lifestyle. "He began stressing the message and critique of totalitarianism and the alternative style of a new democratic

regime rather than stressing himself as the alternative," another of his advisers says. He now speaks merely of constitutional monarchy. "Something like Sweden, Norway, the Netherlands," he says. (Spain's Juan Carlos II, who guided his country from fascism, is an old family friend and political mentor.) Even then Pahlavi promises that he wouldn't serve unless the electorate voted for a constitutional monarchy in a national referendum. Says Azar Nafisi, an Iran scholar at Johns Hopkins's School of Advanced International Studies who is not affiliated with Pahlavi, "If he has a fault, it's that he's not always forceful enough."

Indeed, over the years, Pahlavi has faded in and out of the public eye. During the Iran-Iraq War he muted his anti-government activities in the name of patriotism. When Khatami took office in 1997, he laid low while the reformists challenged the conservative establishment. "There was not enough room or space for aggressive public activism," says Afkhami. But as Khatami's challenge from within the sys-



tem has stalled in the face of intransigence of conservative mullahs, Pahlavi has grown more vociferous. To counter fears about his family's authoritarian legacy, he has become aggressively candid, the John McCain of Middle Eastern monarchs. After his speeches to exile groups and college students, he opens up the floor for questions, and remains after the questioning ends to debate all comers one-on-one. He readily acknowledges his father's flaws. "[E]xcesses have been committed before the revolution.... There was ... a lack of political liberty," he says. And he is trying hard to win over public opinion back home. He spends hours each week on the phone to Iran, sometimes cold-calling potential allies in the clergy and military. He regularly appears on NITV and PARS TV, popular Farsi satellite stations run out of Los Angeles and beamed into Iran, urging Iranians to nonviolently take to the streets against the regime. His office in suburban Washington supplies a clandestine network of activists in Iran with posters of his visage and video messages on CD-ROM. "Unlike his father," says Nafisi, "he's had to prove himself."

IDEOLOGICALLY, PAHLAVI HAS made his message as broad as possible, focusing on the major point on which most exile opposition groups agree: a new secular constitution. "I don't care if the referendum on Iran's future results in a republic or constitutional monarchy," he says. "It is simply important that believers in secular democracy come together to achieve that goal." And one reason Pahlavi's star is on the rise is that secular democracy is increasingly the rallying cry inside Iran as well. In 1997, when the voters elected philosopher Mohammed Khatami, the most liberal candidate the ayatollahs could stomach, the idea of an Islamic democracy—a political system that allowed greater freedom but kept Islam at its core—held great promise. With his talk of "dialogue of civilizations"—a repudiation of Khomeini's Great-Satan attitude toward the United States—Khatami caught the imagination of the Iranian public and Western journalists. *The Washington Post's* John Lancaster called him "Ayatollah Gorbachev," predicting he would usher in Iranian perestroika.

But now Khatami really is looking like Gorbachev—a reformer, not a revolutionary. Khatami was, after all, trained in the conservative seminaries of Qum. As Fred Halliday noted in these pages ("Mohammed and Mill," October 5, 1998), his writings on Western philosophy followed praise of John Locke with passages about the hollowness of secularism. Then there's the fact that he has close allies with long histories of abetting Lebanese Hezbollah, and he has made no bones about "defend[ing] the values of the revolution"—a revolution that many Iranians now view the way Russians viewed the Bolshevik revolution in 1991. And even if Khatami sincerely wanted to overhaul Iran's strange theocratic-democratic political system, the limits of his power have been made abundantly clear. The ayatollahs have aborted every one of his tentative steps toward perestroika. While Khatami promised to lift the ban on satellite television, the regime has gone door-to-door ripping dishes from roofs and balconies. Despite his pleas for tolerance, according to the

Paris-based Reporters without Frontiers, Iran has more journalists in prison than any country in the world. And under Khatami's watch, dialogue of civilizations hasn't replaced the excoriation of civilizations. When 4,000 attended a Tehran vigil at the Swiss Embassy for victims of September 11, government-aligned militias broke it up. In November the conservative head of the powerful judiciary, Ayatollah Mahmud Shahrudi, created a committee to confront political officials "if ever they called for starting dialogue with the United States."

Today there are indications that Khatami's supporters are growing disillusioned. Even his deputies, like Mohammed Ali Abtahi, warn that "people will lose confidence in the system" without more substantive reforms. During the soccer riots protesters screamed, "Death to the Islamic Republic" and "Death to Khatami." For the past two months students have gathered for anti-Khatami rallies in the sports hall at Tehran's Amir Kabir technical university to chastise Khatami, chanting, "Moderation is a hindrance to reform." "There's no opinion polling," says Michael Rubin of the Washington Institute for Near East Policy, "but the events of the past months are a big deal."

It is secularism, not liberal Islam, that is now sweeping Iranian society. Instead of turbans, the rage among young Iranians is Major League Baseball hats. Googoosh, a Barbra Streisand-like diva of '70s Iranian pop, has recently resurfaced as an icon, thanks to satellite broadcasts and smuggled recordings. Men have begun to don the necktie, a once-banned symbol of the shah's modernizing influence. "They have embraced Pahlavi and indulge nostalgia," says Bill Samii, editor of Radio Free Europe's "Iran Report," "because it's such a slap in the face of the regime." Even Western correspondents in Tehran who once swooned for Khatami have begun to note Pahlavi's increasing strength. As *The Wall Street Journal's* Hugh Pope and Peter Waldman put it, he has "emerg[ed] as an important figurehead of the nascent rebellion." And there's another sign of Reza Pahlavi's resurgence: The Iranian government fears him. Pahlavi's recent statements condemning the regime's human rights record have evoked apoplectic responses from ayatollahs in the government-run newspaper. The mullahs have even vigorously protested former King Zahir Shah's return to Afghanistan because, Iran watchers argue, they worry it might set a precedent for Pahlavi. "Of course there are other opposition figures," says Rubin, "but many people may perceive him as the only credible alternative."

ALL OF WHICH puts Washington in a tricky position. From America's point of view, Pahlavi should be a deeply attractive figure. He's a liberal who, with our help, could challenge a regime in Tehran that sponsors Hezbollah, defends Hamas, and is developing weapons of mass destruction. He calls the United States a "true beacon of freedom"; he has even quietly met with Israeli officials. When I interviewed him, he took my notebook, wrote the words "secular democracy," and underlined them twice. Yet the risk-adverse diplomats in Foggy Bottom remain entranced by the prospect of détente with the Khatami

regime. "We have been in discussions with the Iranians at a variety of levels and in some new ways since September 11," Colin Powell remarked last month after shaking hands with Iranian Foreign Minister Kamal Kharazi.

It's not hard to understand Foggy Bottom's behavior. Pahlavi doesn't have an army, he's been outside the country for decades, and even supporting him obliquely might wreck a dialogue with Tehran that could, perhaps, enhance America's influence in the region. On the other hand, the regime in Tehran looks weaker today than it has in more than 20 years. And symbolically, Pahlavi has become its most potent opponent. Earlier this month I traveled with him to a basement set of the Voice of America's (VOA) Farsi TV service. He was there for a live broadcast of "Political Roundtable," hosted by Ahmad Baharloo, an exiled anchor with a Ted Koppel stack

of hair. Pahlavi spent an hour fielding calls from Iran. Phoning Baharloo is not like dropping a line to Larry King. It's an expensive act of resistance that could land you in the prison. (A VOA official estimated that a call to the States costs several hundred dollars.) One of Pahlavi's aides translated the calls for me in real time. A veteran of the Iran-Iraq War announced in a teary voice that he had "nothing in my life." A dissident cleric from Isfahan claimed, "In my city the electricity is out because they know you're here. I'm getting you with radio and battery. Please send more of your pictures and statements. Send it to us and we'll distribute it." A woman pleaded, "I need to ask you to come as soon as possible. Iran is like gas, ready to blow up. Do something before we blow up." Pahlavi stared at the camera and reprised his line: "I'll fight until death." ■

Stephen Breyer restrains himself.

Modest Proposal

By JEFFREY ROSEN

THE SUPREME COURT has not yet indicated how it will respond to September 11, but the judicial philosophy that the conservative majority had embraced before the Twin Towers fell seems hard to sustain in a new and anxious age. The conservatives had planted their flag on principles of federalism and states' rights; today both parties appreciate the need for a national response to international terror. The conservatives had displayed contempt for Congress as a policy-making body; today Congress enjoys renewed public respect. They had embraced a high-handed doctrine of judicial supremacy that asserted the exclusive ability of judges to decide complicated questions of national policy on topics ranging from crime to voting rights; today it is obvious to Republicans as well as Democrats that the enormous complexity of the challenges that face us—requiring elaborate coordination between federal, state, and local authorities—must be resolved by the president and Congress, rather than by the courts.

Although the Court as a whole hasn't had the opportunity to reconsider its direction, one justice recently offered a bold vision of how his colleagues might redefine their role in the post-September 11 world. At the end of October, Justice Stephen Breyer delivered the James Madison Lecture at New York University. In his lecture, entitled "Our Democratic Constitution," Justice Breyer referred only indirectly to September 11, noting that "trust in government has shown a remarkable rebound in response to last month's terrible tragedy." Far from being intentionally topical, the lecture represented his considered reflections about his own pragmatic approach to constitutional interpretation after nearly eight years on the bench. But in his insistence that courts

should defer to Congress, in his transparency and candor, and above all, in his embrace of judicial modesty, Breyer offered a powerful case for the resurrection of a tradition of liberal judicial restraint that seems more relevant today than at any time since the New Deal.

IN HIS LECTURE, Breyer sets out to provide an alternative to the strict constructionism of his conservative colleagues—most notably Antonin Scalia—who insist that, when interpreting the Constitution, judges should limit themselves to purely legal considerations such as constitutional language, history, tradition, and precedent. Breyer argues that judges in constitutional cases should also focus on the practical consequences of their decisions—in particular on the likelihood that a particular decision will promote political participation, rather than discourage it. Breyer says that courts should be especially attentive to the effect of their decisions on what the French political philosopher Benjamin Constant called the "liberty of the ancients"—the Greeks and Romans who valued the active participation of citizens in collective power, as opposed to the "liberty of the moderns," who emphasized individual independence from the state. "I believe that increased emphasis upon this active liberty will lead to better constitutional law," Breyer says, "a law that will promote governmental solutions consistent with individual dignity and community need." Now that the need for public solutions to communal problems seems obvious, Breyer's argument deserves close attention.

An emphasis on democratic participation is often associated with liberal scholars who take an unrealistic view of the people's deliberative abilities and an immodest view of

the judiciary's ability to perfect democratic discourse. Breyer takes a far more modest view of judicial power. He argues for the resurrection of the traditional liberal position of judicial restraint associated with scholars and judges such as Learned Hand, James Thayer, and Louis Brandeis. "To focus upon that active liberty," he writes, "will lead judges to consider the constitutionality of statutes with a certain modesty. That modesty embodies an understanding of the judges' own expertise compared, for example, with that of a legislature. It reflects the concern that a judiciary too ready to 'correct' legislative error may deprive 'the people' of 'the political experience and the moral education that come from ... correcting their own errors.' It encompasses that doubt, caution, prudence, and concern—that state of not being 'too sure' of oneself—that Learned Hand described as the 'spirit of liberty.'"

Breyer is uniquely well qualified to make a case for liberal judicial restraint. In his deference to Congress, and his refusal to strike down federal laws, he has been one of the most restrained justices on the Rehnquist Court. Seth Waxman, the former solicitor general in the Clinton administration, notes that in the first 200 years after the Constitution was ratified, the Supreme Court struck down only 127 federal laws. By contrast, in the past six years alone, the Rehnquist Court has struck down no fewer than 28 federal laws. The most activist judge during this period was Anthony Kennedy, who joined all but one of these decisions. The most restrained justices were Breyer and Ruth Bader Ginsburg, who dissented in half of the cases. In an age when both conservatives and liberals pay lip service to judicial restraint without practicing it, Breyer is a welcome anomaly: a consistent acolyte of judicial modesty.

BUT BREYER IS not only an advocate of a restrained view of judicial power; he is also an advocate of a pragmatic view of judicial power, arguing that judges should consider the effects of their decisions on other institutions of government. And in his association of judicial modesty with judicial pragmatism, Breyer offers an appealing alternative to the activist pragmatism associated, most prominently, with Judge Richard A. Posner of the United States Court of Appeals in Chicago. Posner's jurisprudence increasingly seems to be based on the principle that judges should reach results that are rational and efficient—and that he, Posner, is better equipped to identify rational and efficient results than the people or their democratic representatives. Posner's self-aggrandizing pragmatism reached its apotheosis in his improbable defense of *Bush v. Gore*. Only the Supreme Court, Posner wrote, could have averted the political chaos that might have ensued if the recount ordered by the Florida court had proceeded. In light of the media recounts, it is now obvious that Posner's predictions of a constitutional crisis were shrill and overwrought. In a recount of the under-votes, which is what Al Gore requested and the Florida court ordered—rather than the overvotes—George W. Bush probably would have won without the Supreme Court's eager assistance. And even in the unlikely event that Gore had eked out a tiny majority, Congress was the body legally authorized

to choose among competing slates. But Posner's contempt for Congress led him to ignore the democratic process (and the relevant federal law governing the resolution of disputes in presidential elections) because of his personal concern for efficiency above all.

In his dissent in *Bush v. Gore*, Breyer emphasized that the framers of the Constitution and the relevant federal elections law intended that Congress, rather than the courts, would break the deadlock in elections that were too close to call. And in his Madison Lecture, Breyer rejected the crude Posnerian pragmatism that looks at a particular case and presumes to reach a result that, in the judge's view, would be best for the country. Breyer insists that, rather than casting themselves as saviors for a polarized nation, judges should instead consider the institutional costs that result when unelected officials presume to short-circuit political battles that the Constitution and federal laws insist should be resolved by politically accountable actors.

In this deference to the will of legislatures, Breyer might seem to be resurrecting the pragmatism of Oliver Wendell Holmes, who said, "[I]f my fellow citizens want to go to hell, I will help them. It's my job." But on closer scrutiny, Breyer's pragmatism looks very different from that of Holmes. Holmes was so skeptical about social illusions and moral absolutes that he believed truth could only emerge in a Darwinian struggle. Although he did not romanticize popular democracy—"I loathe the thick-fingered clowns we call the people," he wrote—Holmes was nevertheless willing to protect democratic prerogatives because of his deep-seated doubt that judges had any more reliable access to truth than legislatures did.

IF HOLMES'S CONTEMPT for idealistic visions of democracy came from his experience during the Civil War, Breyer's far sunnier view of legislatures came from his own upbringing in the Bay Area. His father was a lawyer for the San Francisco school board who emphasized the importance of participating in the political life of the city. And Breyer took this lesson to heart as chief counsel to the Judiciary Committee under Senator Ted Kennedy from 1979 to 1980, where he worked on airline deregulation and federal sentencing reform. Each morning Breyer would meet for breakfast with his Republican counterpart, the chief counsel for Senator Strom Thurmond, and that experience convinced him that when legislative staff meet, rather than being prisoners of ideology, both sides are often trying to achieve practical results that will help the country. While recognizing that Congress wasn't perfect, Breyer concluded that it worked pretty well, and he left the job even more optimistic about the possibilities of bipartisan legislative cooperation than when he began.

Breyer's optimistic view of Congress is most apparent in his approach to federalism. Before September 11 the federalism debate had seemed eye-glazingly esoteric, as cases about the limits of Congress's authority focused on obscure questions, such as whether Congress had the power to protect red wolves that didn't cross state lines. After September 11, however, the question of whether there are limits to Congress's power to respond to health and environmental

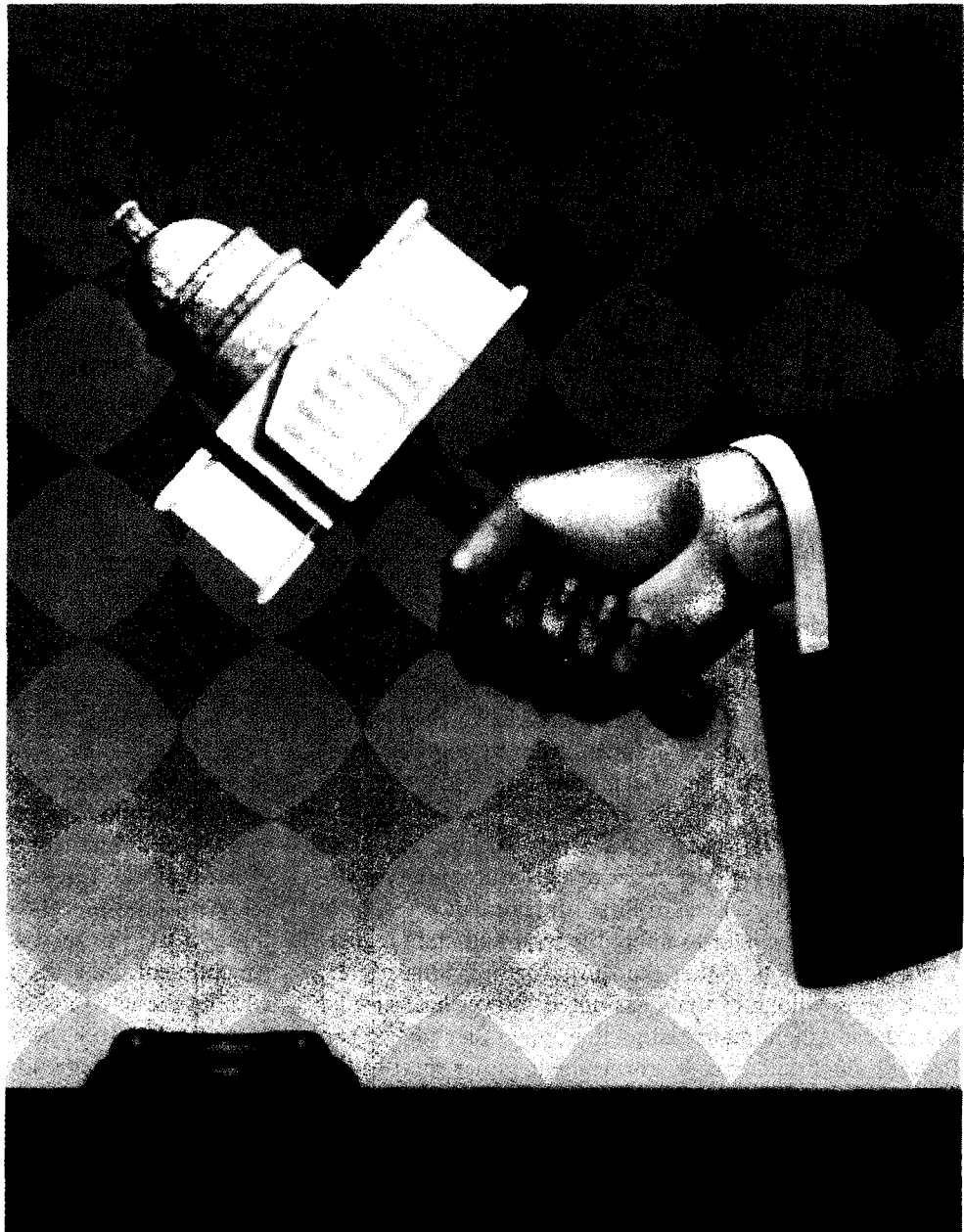
threats suddenly has dramatic practical consequences. For example, when they struck down part of the Brady gun control law in 1997, the five conservative justices held that Congress may not “commandeer” state officials by forcing them to run background checks on potential gun buyers to see whether they have criminal records. In a prescient dissenting opinion, Justice John Paul Stevens wrote that the “threat of an international terrorist, may require a national response before federal personnel can be made available to respond. . . . Is there anything [in the Constitution] that forbids the enlistment of state officials to make that response effective?” Expanding on Stevens’s example after September 11, Breyer insists that by enlisting the participation of local and state officials to combat terrorism, Congress could “help both the cause of effective security coordination and the cause of federalism.” By contrast, now that the Court has prohibited Congress from setting up cooperative schemes for law enforcement, the only alternative may be to create a cumbersome and inflexible federal enforcement bureaucracy. Ironically, because of the Brady bill case and others like it, the new Office of Homeland Security may find it *harder* to delegate regulatory power to state and local governments.

Or consider another challenge in the wake of September 11: Congress’s ability to set up a regulatory scheme to respond to threats of biological weapons. Breyer notes that the regulation of toxic chemicals demands a level of expertise to which the federal government may have better access than state governments have. Federal regulators, he suggests, may be better equipped to decide complicated factual questions, delegating to state authorities questions of value, such as what level of risk is acceptable. But the Supreme Court’s federalism decisions might prevent Congress from enlisting state and local officials to check compliance with federal minimum standards for biological safety. This sort of anti-federalism may have seemed quaint before the Twin Towers fell, but the possibility that the Court might hamper Congress from responding to a serious threat to public health is now no laughing matter.

Breyer’s distinctive contribution to the federalism debate is his claim that deference to con-

gressional power can actually promote democratic participation rather than thwart it. “Federalism helps to protect liberty not simply in our modern sense of helping the individual remain free of restraints imposed by a distant government, but more directly by promoting the sharing among citizens of governmental decisionmaking authority,” Breyer wrote in a recent dissent, again citing Constant. In response, Justice Scalia sneered that Breyer’s praise of the liberty of the ancients “might well have dropped from the lips of Robespierre, but surely not from those of Madison, Jefferson, or Hamilton, whose north star was that governmental power, even—indeed, especially—governmental power wielded by the people, *had to be dispersed and countered*.”

Scalia is right to raise an eyebrow at Breyer’s embrace of ancient liberty. As Constant defined it, the participatory democracy of Greece and Rome was compatible with the complete subjection of individual freedom to communal authority: “All private actions were submitted to a severe surveillance. No importance was given to individual indepen-



dence, neither in relation to opinions, nor to labor, nor, above all, to religion." After the Enlightenment, Constant concluded, "we can no longer enjoy the liberty of the ancients." But in the end, Constant seems like nothing more than a rhetorical distraction for Breyer. Despite his embrace of the language of participatory democracy, Breyer in fact has in mind something more subtle, more complicated, and better suited to an egalitarian and technological age. When Breyer refers to democratic deliberation, he really means not the liberty of ancient Rome but instead what he calls "a national conversation involving, among others, scientists, engineers, businessmen and women, the media, along with legislators, judges, and many ordinary citizens whose lives the new technology will affect. That conversation takes place through many meetings, symposia, and discussions, through journal articles and media reports, through legislative hearings and court cases."

Breyer's vision of political participation as a "national conversation" among experts avoids the airbrushed and unrealistic idealization of ordinary citizens in which many scholars of deliberative democracy indulge. It's also consistent with Breyer's scholarship about risk regulation, which concluded that, in some cases, assessment about the risk posed by hazardous substances should be delegated by Congress to a panel of experts modeled on the French body of highly trained civil servants, the *Conseil d'Etat*. When Breyer says that judges should encourage political participation, in other words, he doesn't mean only participation in a New England town meeting; he's also describing participation in the many other public and private policy debates that shape public policy, including establishments such as the Brookings Institution, the Council of Economic Advisors, and Harvard Law School. While it may seem counterintuitive to exalt policy debates by mandarins as a model of democratic participation, Breyer is correct that mandarins play an important role in influencing how public policy is made. Judges with an appreciation of their own fallibility should defer to laws that are the result of broadly inclusive policy debates, in which many constituencies—experts as well as ordinary citizens—have had a chance to participate. When judges substitute their own judgment for the judgment of Congress and all the expert witnesses who testify before it, Breyer suggests, what results is likely to be bad policy as well as bad constitutional law, disabling the political branches from responding pragmatically to important national problems.

ULTIMATELY, THE MOST striking aspect of Breyer's deference to legislatures is its consistency. Even in First Amendment cases, he is inclined to uphold federal and state regulations rather than to favor individual rights. (As Eugene Volokh of UCLA has noted, Breyer has rejected more First Amendment claims than any other justice.) In Breyer's view, deference to government rather than to the individual in free speech cases can sometimes *promote* First Amendment values. Breyer points to campaign finance laws, which are designed, he says, "to democratize the influence that money can bring to bear upon the electoral process, thereby building public confidence in that process, broaden-

ing the base of a candidate's meaningful financial support, and encouraging greater public participation." In his view, "First Amendment-related interests lie on both sides of the constitutional equation" in cases involving campaign finance reform, pitting the individual interest in self-expression against Congress's interest in encouraging democratic participation. The relevant question, he says, is whether the laws "strike a reasonable balance between their electoral speech-restricting and speech-enhancing consequences." Invoking judicial modesty once again, Breyer says that courts should defer to the legislature on factual questions about which the legislature is comparatively expert, such as the extent of the campaign finance problem. But courts *shouldn't* defer when evaluating the possibility that incumbents might insulate themselves from effective challenge by setting spending limits so low that obscure opponents don't have a realistic chance of attracting votes.

HERE IS A venerable tradition of First Amendment theorists, from Alexander Meiklejohn to Owen Fiss and Cass Sunstein, who have suggested that the government may restrict the speech of a few to promote democratic participation among the many. But Breyer is certainly the first Supreme Court justice to embrace this view of the First Amendment wholeheartedly, and to apply it consistently across a variety of cases. And although the tradition of balancing the interest of the speaker against the interest of society has a questionable record—in the hands of deferential judges such as Learned Hand and Felix Frankfurter, it led courts in the 1950s to uphold the deportation of suspected Communists—Breyer's flexible approach may be better suited to an electronic age in which the speaker is not always easy to identify. In two recent cases, Breyer used a balancing approach to evaluate the competing First Amendment interests affected by a law regulating indecency on cable TV stations and another law requiring local cable TV operators to carry broadcast signals. Upholding parts of both laws against First Amendment challenges, Breyer argued that many groups had competing claims to free speech protection—including listeners, programmers, and cable TV distributors. Although Breyer's balancing of these complicated interests is difficult for lower courts to apply, the First Amendment scholar Jerome Barron has praised Breyer's "new balancing analysis" for weighing "the strength of the government interest in the suppression of expression against the strength of the government interest in access for expression." And in an age when legislatures are generally reluctant to suppress unpopular speech, Breyer teaches those of us who take a more libertarian view of the First Amendment than he does that free expression can flourish without the active assistance of courts.

In focusing on the promotion of "positive" liberty, or democratic participation, Breyer intentionally omitted from his lecture a portrait of "negative" liberty, or individual rights. But by and large, Breyer's instincts seem as restrained and modest in cases involving individual liberty as they do in cases involving collective liberty. Like Holmes—whose definition of basic liberty involved defer-

ring to the state until he felt that his back was to the wall—Breyer, too, seems inclined to defer to the state except in cases that strike him as fundamentally unfair. He is no instinctive civil libertarian in cases involving the regulation of pornography on television or nude dancing, in which he has sided with the conservatives; but he has also defended the rights of unpopular aliens. A majority of the Court, for example, held that a suspected Nazi war criminal couldn't plead the Fifth Amendment when he was ordered to testify about whether he lied about his war record on an American visa application. Breyer dissented, arguing that the Nazi's fear of being prosecuted for war crimes if he were deported meant that he should be entitled to take the Fifth. And Breyer showed a similar concern about the rights of aliens last June when he interpreted the immigration reform act of 1996 not to authorize the indefinite detention of aliens whom the United States wanted to deport but whom no other country would admit.

THE ONLY CASES in which Breyer's instincts about individual liberty sometimes seem less than modest are those involving personal autonomy. He infuriated his conservative colleague Anthony Kennedy by writing an expansive opinion striking down the laws prohibiting so-called "partial birth" abortions in no fewer than 31 states, extending the Court's abortion precedents further than they needed to go. But even when you disagree with Breyer in a particular case, it's hard not to be impressed with his transparency: More than any other justice, he takes us behind the curtain of his constitutional reasoning—explicitly identifying the competing interests that he has weighed in his decision, and showing us how he has weighed them. And transparency, in the end, is what helps Breyer to minimize the dangers of judicial subjectivity. As he notes, a more legalistic approach to constitutional interpretation—which emphasizes constitutional language, or history, or tradition and precedent—conceals all the hard and subjective choices that go into each decision: which history, for example, or which tradition a judge chooses to follow. The decisions that result are "no less subjective but . . . far less transparent than a decision that directly addresses consequences in constitutional terms."

By putting all his reasons on the table, Breyer also helps to minimize the familiar criticism of pragmatism, which is that it is essentially tautological: It tells judges to weigh the consequences of their decisions, but it doesn't tell them *how* to weigh the consequences of their decisions. Even if judges intend to make decisions that are good for society, the question of what is good for society is hotly contested in a pluralistic society, and depends on moral and political values about which people vigorously disagree. Because it is so malleable, pragmatism has been invoked to justify such vastly different constitutional approaches as the Nietzschean nihilism of Holmes, the rationalist activism of Posner, and the progressive humility of Breyer. But in a pluralistic age, Breyer's humility is more appropriate than those other strains of pragmatism because Breyer is more realistic about the institutional capabilities of different officials in a compli-

cated government to weigh questions of fact and value. Rather than presuming to second-guess the choices of experts, legislators, administrators, and citizens, Breyer recognizes that all of them deserve respect. In this sense, Breyer's pragmatism might be seen as a sophisticated version of the representation-reinforcing constitutional theory of John Hart Ely, who argued that courts should generally defer to the choices of political actors unless those choices threaten to distort the political process itself.

There is something appealingly adult about Breyer's philosophy of judicial humility. Unlike Kennedy, he does not condescend to American citizens by offering them simplistic civics lessons that conceal the hard choices that any important constitutional decision requires. Unlike Posner, he does not presume that legislatures are so foolish and inefficient that only he can be trusted to reach rational decisions on the people's behalf. Unlike Scalia, he does not preach judicial restraint and practice judicial activism, concealing his contempt for Congress with selective excursions into constitutional history and tradition. And unlike advocates of judicial minimalism, Breyer does not offer up narrow, thinly reasoned opinions in the hope that citizens who are given few reasons to disagree will instinctively rally around the Court.

INSTEAD, BREYER HAS an entirely uncondescending appreciation for the complexity of policy-making in a democratic society. He argues convincingly that although Congress is not perfect, it has done a better job, on balance, than either the president or the courts at balancing the conflicting views of citizens across the nation during times of national crisis. He has enough respect for American citizens and their representatives to take seriously the reasons that emerge from the law-making process itself, and to defer to elected representatives unless their conclusions are transparently self-serving. With his intelligence, modesty, and appreciation for complexity, Breyer reminds all Americans that Congress, rather than the courts, is the place to resolve policy disputes. And for helping to teach liberals that they no longer need the courts to save them from the rigors American democracy, he deserves thanks.

During the past decade the case for judicial restraint has had little political resonance among liberals. In the Progressive and New Deal eras, conservative judicial activism provoked a backlash when judges struck down laws that had broad political constituencies. By contrast, the laws that the conservative justices struck down in the 1990s often seemed too obscure for anyone except scholars to care. Perhaps it took the trauma of September 11 to remind all Americans, liberal as well as conservative, that national action is necessary in times of national emergency, and that the federal government needs broad discretion to respond to complicated international challenges. It's not yet obvious whether the conservative justices will follow the logic of their previous decisions and try to thwart the federal government's flexibility in a post-September 11 world. But if they do, Breyer's consistently modest view of judicial power will no longer seem like a historical artifact. It will be recognized as a national imperative. ■

Stanley Kauffmann on Films Slouching Toward Hollywood

THE HUMAN RACE, as today's newspaper proves (whatever day it happens to be), has stringent limitations; but one of its attributes has no limits.

Vulgarity. Hollywood has never been shy to exercise this quality, but even Hollywood can find, from time to time, ways to push the vulgar a little further. Jim Carrey's new vehicle, *The Majestic* (Warner Bros.), wins some sort of mephitic laurel for doing just that.

The screenplay by Michael Sloane, set in 1951, is in two parts, tenuously connected. In the major part, Carrey plays a Hollywood screenwriter named Peter Appleton. Driving tipsily up the California coast one night, he has an accident that leaves him amnesiac. The people of a nearby town who rescue him "recognize" him as another young man, whom the screenwriter uncannily resembles, a native son named Luke Trimble who was lost in the war nine years earlier. Even his supposed father "recognizes" him, and the former Appleton, now blank-minded, gradually accepts his new persona. He also accepts Luke's girlfriend, who had given up hope for him.

Harry Trimble, the old-new father, owns the town's movie theater, the Majestic, which had closed because of television's arrival and is in moldy disrepair. Inspired by his lost son's return, and by his urging, Trimble decides to refurbish and re-open the Majestic. The whole town joins in, working away on the theater just as neighbors help a farmer whose barn has burned.

But it is not the town—so squeaky-clean that it makes Frank Capra's communities look dowdy—that repels the viewer. Nor is it the father and his crony, played by Martin Landau and James Whitmore, two of the premier schmaltz merchants in the business. Nor is it the love that conveniently develops between the new Luke and the old girlfriend. Nor is it the loyal black usher and the candy-counter woman who have apparently just been waiting around for the movie theater mir-

acle. Nor is it the way the town folk seem to have nothing to do in their lives but gather round to cheer the hero's efforts. All these elements are at least in the mainstream of Hollywood glucose. Much worse is the framework that surrounds this central story.

At the start of the picture, Appleton, a thriving writer of B movies, is suddenly summoned to appear before a congressional committee that is investigating communism in Hollywood. Appleton is utterly non-political, but a dozen years earlier he had gone to a communist meeting because he was chasing a girl who was a leftist. His name has been given to the committee, and he must now appear before it to purge himself by giving other names. Even though the studio lawyers have worked out routines to take care of this trouble, Appleton is disgusted, gets drunk, and drives up the coast into the central story.

But of course he is not permanently secure there. Luke Trimble is eventually uncovered as Peter Appleton. He is accused of hiding as Luke, and is brought back to Hollywood to testify. There certainly were witnesses in those days who refused to cower—we even get a news clip of John Howard Lawson defying a committee—but Appleton's behavior and the public's reaction to it amount to a new twist on vulgarization.

The whole postwar anti-Red drive, led by J. Parnell Thomas and Joseph McCarthy, is a stain on our history, full of contradictions, heroisms, and cowardices. One didn't have to be a communist to see that these men and other politicians were using anti-communism as self-promotion. (One point made only briefly in the film is that the Un-American committees were themselves unconstitutional. It was not and is not illegal to be a communist.) But the speech that Appleton makes to the committee—he tears up the statement prepared for him by studio lawyers and improvises—is a cartoon of the staunchness of some people, Arthur Miller for instance, before the committee.

The wild cheers for his speech by the crowd at the hearing are a stupid joke. The comfy reward that the studio then offers him for defying the committee is a travesty. He doesn't accept the offer: he goes back to the small town to run the Majestic and is greeted at the station by still another cheering crowd.

Historical fidelity in films has been chewed over a lot in recent years, chiefly because of some Oliver Stone films. But there is a wide difference between a passionate belief in a particular version of history, however much we may disagree with it, and a tawdry distortion of fact for soppy plot purposes. History, even when it is as discomfiting as that of the McCarthy days, deserves some safeguard against saccharine vulgarity.

In the above, I omitted to mention the vulgarity of Carrey's acting: a fake James Stewart, he never misses a chance to overdo an emotion or to render a possible pleasant moment falsely. This leads us to Tom Cruise, who has had a quite different career, which makes his latter-day vulgarities even more distressing.

Very early in that career Cruise behaved as if he knew he had good looks but wasn't going to let them stop him from acting—in *Risky Business* (1983), for example, about a juvenile's encounter with a call girl. Within two years he did *The Color of Money* and *Top Gun*, and in both his performances almost leaped off the screen with vitality. In 1988, only five years after he began, he gave one of the best and least-appreciated performances in late-century American film. In *Rain Man*, Dustin Hoffman won most of the attention because he was playing an impaired person, always a golden gift to an actor; but Cruise, as the slick car-salesman brother, who moves from irritation and impatience to depths he didn't know he had, gave the more difficult performance and did it superbly. The very next year he played the paraplegic anti-war protester in *Born on the Fourth of July* with almost visible fire.

There was some good work after that—*A Few Good Men*, *Jerry Maguire*—but by then Cruise was becoming a full-fledged bankable star and began to move into star tactics with films manufactured to ensure and increase his bankability. Then he blundered into his constricted performance in *Eyes Wide Shut*, neither good nor bankable, a role in which he seemed to be wondering why he was there. Since then, nothing but manufacture.

Cruise's latest, *Vanilla Sky* (Paramount), is depressing. Not because the screenplay—by the director, Cameron Crowe,

based on a Spanish film—is a confusing and pretentious ragout of glitz, science fiction, and feel-good philosophizing, but because it is all arranged to fit Cruise's latter-day view of himself. He has never been unaware of his attractions, nor could he have been, but now he spends most of his time selling his smile and his torso and his lovemaking, with bits of story in between. That story contains sequences in which Cruise's face is injured in a car accident, but not to worry, this is just a

calculated tease—the smile comes back. (Crowe is very much Cruise's accomplice in this merchandising.) One term for what has gone on in Cruise's recent career is vulgarization.

The same process went on with Robert Redford, who moved from actor to star to impossibly super star. Redford's aging—perforce, I suppose—has turned him once again to acting. Possibly the last stage of this trajectory lies ahead of Cruise. Meanwhile, if only he would stop smiling. . . ■

Martin Filler on Architecture Art and Hand

COMING AT THE end of a dismal year for the United States in general and for its largest city in particular, the opening of Tod Williams and Billie Tsien's **American Folk Art Museum** in New York was a thoroughly uplifting event. The reasons for these good tidings stand quite apart from the timely re-affirmation of American culture at its best. Since the terrorist attacks, the worsening economy and the sharp drop in travel have precipitated a disastrous decline in museum revenues, especially in New York, where several institutions have recently sacked workers and canceled exhibitions. The hardest hit has been the over-reaching Guggenheim, and it is safe to say that Thomas Krens's grandiose scheme for a Frank Gehry building in lower Manhattan, an enterprise dependent on a great deal of municipal funding that now must be allocated elsewhere, is a titanium-armored dinosaur doomed to extinction.

Thrilling though the Gehry project might have proved to be in purely architectural terms, there are some who will see its likely demise as not a bad thing. The Bilbao Effect—a worldwide frenzy for museum architecture as a tourist destination and a public spectacle rather than as a home for art—has spiraled so far out of control that some corrective was desperately needed (though one would have liked it to occur under other circumstances).

A superlative alternative to that alarming trend is happily at hand in the new

American Folk Art Museum. Its intelligent equipoise between architectural excitement and genuine attentiveness to the works of art that it displays is exemplary, as is its equally appropriate balance between physical grandeur and spiritual intimacy. I do not doubt that this physically small but conceptually colossal structure will become a new paradigm for museum design as we enter an era very different from the one that Bilbao so perfectly epitomized.

The New York-based husband-and-wife team of Williams and Tsien have long been esteemed within their profession, but only now, in their fifties, are they receiving the kind of widespread recognition that they deserve. The disparity between their talent and their fame is partly of their own making. Abjuring the bigger-is-better syndrome that can overtake even architects with high artistic aspirations, Williams and Tsien have strictly limited the size of their practice. They take on no more than two commissions a year, executed with the help of just fourteen collaborators in their non-hierarchical office, so as to retain the personal touch that is lost when an architectural firm grows larger than that. These partners say no to commercial jobs on the principle that the imperatives of the marketplace are incompatible with those of the artist in a medium in which patronage must precede production. Instead they prefer to work with more sympathetic cultural, educational, and scientific clients, like those that sustained their hero Louis Kahn, who

thereby steered clear of the mercantile maw that devoured so many talents of his mid-century generation.

Though Williams and Tsien received the American Folk Art Museum commission in 1997, just before Bilbao opened to universal hosannas, the far more modest tone of their design was owed more to necessity than to choice. Since its founding, forty years ago, the museum had sought a permanent home for its collection. Through the good offices of Blanche Rockefeller, longtime president of the Museum of Modern Art and an avid folk art enthusiast, the fledgling institution was given eight townhouse properties down the block from MoMA on West Fifty-Third Street. Though the intended apposition was delightfully suitable—setting the intuitive works of untutored American artists cheek by jowl with the world's most pre-eminent collection of high modern art—the latter institution has come to bitterly regret the de-accessioning of that land.

Without sufficient funding for its building, in the 1980s the Museum of American Folk Art (as it was then known) decided to follow the dubious example of MoMA, which was then engaged in a mixed-use expansion program that included the Museum Tower condominium. The folk art museum commissioned several successive high-rise schemes (including an interesting one by Emilio Ambasz) for a mixed-use building that it would have only partially occupied, intending to rent out the rest to generate income.

But those plans never worked out, certainly to the good of that chokingly overbuilt portion of Manhattan. In due course, six of the eight townhouse lots reverted to MoMA, which then tried to persuade the folk art museum to swap them for the two westernmost plots, so that the older museum could spread out in an unimpeded swath. The folk art museum demurred; and with Yoshio Taniguchi's forthcoming minimalist infill scheme to its east and an as yet unspecified structure to its west, the Williams-Tsien building will be completely surrounded by MoMA, a high-style version of nearby brownstone holdouts engulfed by skyscrapers.

DESPITE THE FACT that the American Folk Art Museum is a mere forty feet wide, it can more than hold its own in its dense surroundings. Williams and Tsien ensured this by making the building's façade essentially scaleless, a venerable architectural sleight of hand that can impart monumental magnitude to a small structure by eliminating conventional windows and other referen-

tial details that give away a building's true size. The architects designed a ravishing façade in the gently faceted form of a huge "Y," suggesting an abstracted hand, which they saw as a fitting emblem for a museum dedicated to the works of self-taught craftsmen-artists.

The street front of the museum is clad in sensuously textured panels of tombasil, a white bronze alloy, which for this project was cast directly onto the floor of the foundry to achieve wonderful irregularities that suggest geology rather than technology. Here and there on the monolithic façade, tall, thin windows behind the angled planes penetrate that angled metallic curtain wall. Lovers of architecture will re-route their crosstown perambulations to West Fifty-Third Street just to see the dully lustrous skin of the American Folk Art Museum reflecting different qualities of light at different times of day and during different seasons of the year. The façade even looks fabulous at night, when it is spotlighted to mysterious effects.

The contrast between Williams and Tsien's urbanistic surprise and the angular glass façade of Christian de Portzamparc's gimmicky and superficial LVMH Building on East Fifty-Seventh Street (a mid-block structure of approximately the same width but four times the height) could not be more pronounced. A jumpy composition in the waning Deconstructivist mode, Portzamparc's frosted, fragmented street front is nothing more than chi-chi Caligari. It instructively sums up the difference between a name-brand stylist and serious artists, between an attention-grabbing stunt and a heartfelt act of civic largesse.

The main entrances to the American Folk Art Museum are concealed at right angles behind the façade, removing yet another scale reference from full frontal disclosure. Stepping inside, one immediately senses an upward rush of space and instinctively looks overhead into the exhilarating eighty-five-foot-high well of light that soars to the top of the building, surmounted by a thirty-foot-high skylight. Though the museum at a distance seems dwarfed by its several high-rise neighbors, both the imposing façade and the wholly unexpected opening up of volume behind it make the building feel simply enormous.

In bringing off this illusionistic tour de force, Williams and Tsien have acknowledged their debt to Sir John Soane, whose celebrated house-museum of 1812-1834 in London likewise takes two narrow townhouse lots and makes them expand internally into a self-sufficient architectural universe. Soane accomplished this through his incomparable command of naturally illuminated vertical space (one must look to Kahn for similar mastery in modern times), deploying skylights and various openings below them to bring

throughout the building, especially the broad flight of steps that links the third and fourth floors. The architects took as their model the much-admired staircase of Marcel Breuer's Whitney Museum of American Art, which also functions as a catalytic social concourse, most notably on such gridlocked occasions as the opening of the Biennial. With no room for non-functional congregating points, the transitional spaces at the folk art museum add a welcome sense of community amid works that, for all their assertive individuality, also bespeak an America that fosters a sense of shared experience and purpose.

At thirty thousand square feet, the American Folk Art Museum is not appreciably larger than many of the super-sized mansions of the 1990s. With such a small area to work with—the site measures a mere forty feet by one hundred feet, with the stories above the ground floor, which are set back at the rear, just forty by eighty—the architects were forced to consider every inch with extreme exactitude. Williams, who deals with structural matters within the partnership, devised a bare-bones approach that not only was economical (the building cost a thrifty \$22 million) but also eliminated all the wasted interstitial space possible and maximized the usable volume to an extraordinary degree.

The exposed concrete walls, stairs, and floor slabs that you see as you move through the six-story building (with another two floors of office space excavated below ground level) are the skeletal supports of the building, not some decorative overlay. Where walls are non-structural, the architects have signaled so by making those

vertical planes read as thin membranes, and in some cases sheet-rock panels overlap the concrete to drive that point home. The concrete is not handled with the perfectionist refinement of I.M. Pei and Tadao Ando, who specify furniture-quality wooden casting molds to guarantee a meticulous surface. Here the occasional flaws in the concrete—if you look closely, you can see where one day's pouring left off and the next day's began—feel ideally in keeping with the handmade, populist ethos of the museum's artworks.

With the obsessive zeal of a corporate number-cruncher, Williams whittled down the dimensions of such mundane



Tod Williams Billie Tsien Architects,
American Folk Art Museum

shafts of light down into the very depths of a multi-story structure. Williams and Tsien create the same effect here, but in uncompromisingly contemporary terms. Soane is often invoked by other architects, but he is rarely honored as faithfully as this. At the American Folk Art Museum, the animating effect of Soane's influence is immanent, even though Williams and Tsien's rigorously modernist aesthetic is radically different from that of the maverick Neoclassicist.

The verticality of the American Folk Art Museum is further emphasized by the dazzlingly varied series of stairways that Williams and Tsien have positioned

COURTESY AMERICAN FOLK ART MUSEUM

but space-eating features as heating and air-conditioning ducts, and those piece-meal economies further reinforce the impression that this is a far bigger building than it actually is. The spatial economy and the pragmatic ingenuity with which he has pieced together this complex structure is reminiscent of nautical design, and at every turn there is evidence of a shipshape precision that reminds you why Le Corbusier was so enthralled with ocean liners.

Consider, for instance, the tiny museum café, tucked into a mezzanine at the front of the building, just above the double-height entry hall. Not much larger than the living room of a new Manhattan rental apartment, it opens to views across the street of Eero Saarinen's CBS Building and Kevin Roche's E.F. Hutton Building, respectively a high point and a low point of New York corporate architecture in the last third of the twentieth century. Invidious creatures that they are, most great American architects (particularly Frank Lloyd Wright) would rather die than let you sit amid their work and contemplate the work of others, hence the turning inward so typical of modern buildings in this country. With this small but consummately urbane gesture, however, Williams and Tsien give a strong clue to their innate generosity, toward the public and toward their fellow practitioners.

WILLIAMS AND TSIENT share with Kahn a love of detail that never gets bogged down in minutiae, and the American Folk Art Museum is filled with dozens of small grace notes. Whereas Williams concerns himself largely with structural matters, Tsien's primary interest lies in the psychological aspects of interior space and how materials, finishes, and textures can express it. Their talents complement one another to perfection, and there is no question that they are among the most brilliantly matched partnerships in architecture today.

The range of materials employed here is stunning but never exhibitionistic. There is everything from gray dolomitic limestone from Italy for walls to richly stained maple for tapering handrails to pale green fiberglass panels that frame one stairway to gallery flooring sawn from fir logs that had lain under water for a century. (The latter was chosen to underscore the architects' commitment to ecologically responsible construction, though the fir is quite handsome as well, and this softwood will quickly develop evocative signs of wear.) Yet somehow all those diverse materials fall seamlessly into place, because the cohesive restraint underlying this high/low palette prevents any one component

from attracting too much notice.

The architecture of this museum serves the works of art within it extraordinarily well, above all because they are not condescended to by a pseudo period setting. One can only imagine the horrors that would have ensued had the folk art museum proceeded with its building program at the height of the postmodern moment of the 1980s. This is a tough, no-nonsense building in some respects, but a warm and inviting one as well, and that is the common ground it finds with the folk art tradition.

As installed by the ubiquitous exhibition designer Ralph Appelbaum, the museum's presentation of its collection now includes a number of memorable set-pieces, among them a slew of lively weather vanes skyed against a bush-hammered concrete shaft that rises up several stories at the core of the structure. In an excess of eagerness to show as much as possible of the superb Ralph Esmerian collection of American folk art, donated to the museum by its chairman of the board, the somewhat cluttered opening exhibition looks rather like an estate sale preview at a top-drawer auction house. (Also on display is a survey of the surpassingly weird outsider art of Henry Darger, whose gender-bending kiddie soft-porn seems like the work of the sexually transgressive

Chapman Brothers *avant la lettre*.) The lighting, designed by Richard Renfro, can be warm and dramatic in some places but dreary in others (no doubt because of the low-wattage conservation requirements for the many works on paper and textiles on view).

IT WILL TAKE time, I expect, to learn how to use this museum's magnificent new building most effectively—this building that is simply the finest piece of architecture to rise in New York since Wright's Guggenheim opened in 1959. It strikes me also as a quintessentially New York building, at once unimpeachably elegant and pleasingly eccentric, assertive on the outside but expansive on the inside. The American Folk Art Museum, moreover, makes the very convincing case that for cultural institutions, smaller is very often better. This finely crafted jewel packs more pure emotion into a sliver of space than most other collections manage to muster in buildings ten times its size. Though we will always want and always need encyclopedic museums, it is a great misapprehension for every institution to think that it will prosper infinitely, and that the public will benefit from unlimited growth.

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most of a museum's heavy lifting is a terrible mistake. As Williams and Tsien make manifest in this unassuming masterpiece, the real choice is not between an architectural extravaganza and an inert container. A great building and great art can co-exist

very well, even under the same roof, even when the aesthetics of both are as divergent as they are here—so long as the architects strive, as this admirable couple have striven, to put their artistry in the service of fellow masters. ■

Becoming Zarathustra

By THOMAS NAGEL

Nietzsche:
A Philosophical Biography
by Rüdiger Safranski
translated by Shelley Frisch

(W.W. Norton, 409 pp., \$29.95)

MOST PEOPLE TAKE life as they find it, and try to make something of the possibilities that are offered by their personal and social circumstances, avoiding catastrophe or failure, pursuing happiness, and working to realize some acceptable private or public ambitions. A small minority have the leisure to devote themselves systematically to understanding life and the world: scientists, historians, and thinkers. Others, seeing that there is much that is wrong with the world, spend their lives trying to change it for the better, and not just for themselves. Still others, creative artists, try to add to the world wonders that do not yet exist. Friedrich Nietzsche's conception of his own task, the task of the true philosopher, was closest to the last of these—not merely to understand the world or to change it, but to create something new. And the field of his creation was himself.

To take oneself and one's world as given, and move forward intellectually and practically from that starting point, was in his view a betrayal of the extraordinary freedom that we possess as reflective beings. Nietzsche recognized that, like all human beings, he had reached consciousness with a sense of himself and a system of values that was produced by a tangled human history together with biological sources of which he was largely unaware. To take real possession of himself, to discover who he was and to decide who he wanted to

be, required a bringing-to-consciousness of everything that lay beneath and behind the socially developed and educated human being—the constructed individual who handles the world with concepts, values, and methods of thought whose sources and true meanings he does not understand. It required a radical self-transformation.

Nietzsche's assault on the familiar is more radical even than Descartes's skepticism. Descartes believed that by doubting everything that he had learned in the ordinary way, he would find within himself an unassailable form of thought that would allow him to reconstruct his knowledge on a secure foundation, so that he would no longer be just the accidental product of a contingent culture. But Nietzsche found no such thing in himself. He was as suspicious of reason and the concepts of the understanding as other philosophers had been of the senses. The operations of the mind, he believed, are not necessarily what they seem.

This does not mean that greater self-knowledge is impossible: indeed, plunging beneath your own inner surface through both psychological and historical investigation is essential. But knowledge is not the main point. The point is to achieve a different kind of existence: to live one's life in the full complexity of what one is, which is something much darker, more contradictory, more of a maelstrom of impulses and passions, of cruelty, ecstasy, and madness, than is apparent to the civilized being who glides on the surface and fits smoothly into the world. Because we are not animals, we are in a position to take conscious possession of ourselves in this way; but because we are socialized human beings, we tend instead

to accept the superficial identities and the orderly system of beliefs that civilization has assigned to us.

Rüdiger Safranski's life of Nietzsche is subtitled "A Philosophical Biography" because it concentrates on the temporal course of Nietzsche's inner life and his self-transformation through thought and writing. References to outer events are all subordinate to this aim, and the basic chronology is given not in the main text but in an appendix. The last chapter is a valuable account of the afterlife of Nietzsche's ideas, which have had an influence on modern thought comparable to those of Marx, Darwin, and Freud. A few personal relations are part of the story, but readers interested in juicy details will not find them here. This is a book about what was really important to Nietzsche: the largely solitary attempt to live up to the recognition that existence is something tremendous.

Safranski covers the full range of Nietzsche's writings, making use of new critical editions, including the complete *Nachlass*, the letters, and the early writings. Covering so much, he does not give special emphasis to the topics that are of most interest to contemporary academic philosophy—truth, objectivity, skepticism about morality; but the result is a balanced and illuminating intellectual and spiritual portrait, and a guide to the writings, published and unpublished, that should interest scholars as well as a general audience.

THE OUTER FACTS of Nietzsche's life are uninteresting. Born in 1844, the son of a Protestant pastor, he lost his father at the age of five. He was precocious, and wrote nine autobiographical sketches during his school and university years, trying to understand his development, as well as ambitious essays to formulate his philosophical and historical ideas. At the unheard-of age of twenty-four, even before receiving his doctorate, he was appointed professor of classical philology at the University of Basel on account of his evident brilliance. He became a fervent disciple of Wagner, and published *The Birth of Tragedy* at twenty-seven, thereby antagonizing the profession of classics, and resigned his professorship on grounds of chronic illness at twenty-eight, with a pension of three thousand Swiss francs a year. From then until his irreversible collapse into dementia in January, 1889, he moved from place to place, mostly in Switzerland and Italy, mostly alone, fighting illness, publishing books and filling notebooks in a crescendo of ecstatic and uninhibited brilliance.

Personally, his life was marked by a turning against Wagner, by an aversion

THOMAS NAGEL's new book, *The Myth of Ownership: Taxes and Justice*, co-written with Liam Murphy, will be published by Oxford University Press in the spring.

to his mother and sister, and by a painful relation with the beautiful and brilliant Lou Salomé, who returned his fascination but rejected his offers of marriage and eventually drew away from him. (He then described her in a letter as "this scrawny dirty smelly monkey with her fake breasts—a disaster!") As a published author he was not a success: after he had been writing books steadily for fifteen years, only about five hundred copies all told of his works had been sold.

Not quite as bad a fate as Van Gogh's, but close. It was only after he could no longer appreciate it that his books began to sell, and at the beginning of World War I one hundred fifty thousand copies of *Thus Spoke Zarathustra* were printed in a special edition and distributed to soldiers at the front, along with Goethe's *Faust* and the New Testament. After his breakdown in 1889, the publication of Nietzsche's works was taken in charge by his anti-Semitic sister Elisabeth. He died in August, 1900. Though he seems to have had a very limited sexual life, the cause of his illness and death is generally thought to have been syphilis.

THE SENSE OF a deep connection with reality has often been given religious expression, but in light of the spreading modern recognition that religion was a human creation rather than a transcendent truth—that "God is dead," in his memorable phrase—Nietzsche looked for something to replace it that was not merely banal, not merely a scientific worldview. As Lou Salomé observed, there was something religious in his temperament.

Nietzsche found that music had the power to bring him into direct contact with reality—that the experience of music brought something deeper than words and rational understanding could provide. No distance or observation or description separates us from music. In the form of music, the deepest reality penetrates us and we become conscious parts of it. This is a recognizable feeling; it is somehow appropriate that Stanley Kubrick employed the explosive opening of Richard Strauss's *Thus Spoke Zarathustra* in 2001: *A Space Odyssey* to evoke the birth of human consciousness. Nietzsche's first hope, that music combined with a new and un-Christian mythology would allow us to connect with the deeper reality not expressed in modern or scientific discourse, was inspired by the works of Wagner, which he found ecstatically moving, and it was given expression in *The Birth of Tragedy*.

The ancient Greeks had practically invented rationality, but Nietzsche argued that in their art a detached or Apollonian

grasp of the world existed side by side with the conflicting, passionate, Dionysian force of unreflective being. Apollo was the god of clarity and form, Dionysus the god of orgiastic ecstasy. Non-rational and potentially destructive feeling contained by, but always threatening to burst the bounds of, self-reflective rational control and understanding: this was the drama of human life, raised to a high level in Greek tragedy. But the subordination of art by the triumph of reason had led in the modern world to a loss of contact with the Dionysian sources of life, and something needed to be done to revive them.

Yet when Nietzsche witnessed the opening in 1876 of the first Bayreuth Festival, blessed by the appearance of the Kaiser and thronged with prosperous spectators, and saw Wagner's fawning response to all this worldly attention, he was repelled. He concluded that a re-enchantment of the world by new collective myths was not the answer. It was too much like religion. But the need remained to bring out the Dionysian forces without taming them, and this was Nietzsche's artistic and philosophical project for the rest of his short productive life.

It meant probing what lay beneath the surface of consciousness in his own psyche, as well as critical examination, on historical and psychological grounds, of the

customary forms of thought and justification that are imposed on us without our consent or even our awareness. Most famously, it meant calling into question morality, whose sources were very poorly understood—asking for the significance of morality, as Nietzsche put it, from the perspective of life. What we need, he said, is not the courage of our convictions, but the courage for an attack on our convictions.

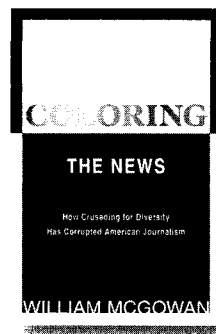
Nietzsche was a prodigious source of ideas, too many and too contradictory to sum up; but the most important strain in his thought, I believe, was suspicion of the authority exercised by collective and supposedly objective or rational norms and concepts over the individual perspectives and drives at the core of life. And his characteristic method of calling that authority into question was to unmask the claim of objectivity and impersonality as itself the expression of an individualized drive—in the most general terms, the will to power, power over the world and over others.

The conflict of perspectives and competing wills that is the true reality is obscured and flattened out by the social imposition of a common standpoint, in language, thought, morality, and politics, which presents itself as simply or cosmically true by concealing its true sources. The inquiry into the genealogy of these

Coloring the News

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by William McGowan



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ruling ideas is therefore a vital part of their unmasking. The proposed genealogy of Christian morality, as the expression not of universal love but of the slave revolt of the base against the noble, motivated by fear, hatred, and envy, is Nietzsche's most famous thesis, expounded in *Beyond Good and Evil* and *On the Genealogy of Morals*. As Safranski puts it, "The battle in morality boils down to the power of definition. It is ultimately a question of who allows himself to be judged by whom."

Not all expressions of the will to power can be rejected on the ground that they conceal their true sources. Some perspectives achieve dominance over others not by deception but because of their greater strength. Thus Nietzsche was not a skeptic about the value of science as a way of going beyond the appearances; he was skeptical only of its pretensions to offer the ultimate view of the world, to which all other perspectives must be subordinated. He diagnosed this as the expression of an ascetic ideal, an attempt to eliminate the multiple and unruly individual forces of life in favor of a spare objective order.

He regarded modern morality, which speaks with the voice of the community or even of humanity as a whole, as particularly dangerous, because it requires suppression of the cruelty and the recklessness that distinguish the strong individual. The height of self-realization cannot be reached by someone who is too concerned with the reactions of others, or with his effects on them. There is a fundamental conflict between the pursuit of individual creativity and perfection and the claims of the general welfare.

For this reason, Nietzsche was not a democrat. Already at the time of writing *The Birth of Tragedy* he defended slavery as a condition of the possibility of great cultural achievement by the few, as in ancient Athens. And he defended its modern counterpart, the economic oppression of the masses, for the same reason. He opposed shortening the workday from twelve hours to eleven when it was proposed in Basel; he approved of child labor; and he opposed educational groups for workers. When in 1871 he heard the false rumor that the Paris Communards had pillaged the Louvre, he called it "the worst day of my life." Equality meant nothing to him; he believed that it would inevitably push everything down to the lowest common denominator, that of the "democratic herd animal." Life, he insisted, is tragic; it is necessary to choose between justice and aesthetic perfection. In his late writings he expressed fantasies of annihilation, with "degenerates" gotten rid of to make room for the highest type of man.

The figure who embodied his hopes was the *Übermensch*, not to be confused

with his virtuous comic-strip namesake. The *Übermensch* is a possible successor to man, self-created by bringing to consciousness all the strong and contradictory forces that lie beneath the human surface, acknowledging the omnipresence of the will to power, and re-valuing all existing values, through the assessment of their genealogies, from the perspective of this enlarged acceptance of life. It is doubtful that anything like morality would survive for such a creature, but if so it would have to take a form that could be affirmed in this way.

There is a final element of the overall conception to which Nietzsche assigned supreme importance: the puzzling idea of eternal recurrence. On August 6, 1881 Nietzsche was inspired, apparently with the help of defective mathematical reasoning, to the insight that the entire history of the universe, including his own life, had already happened an infinite number of times and would repeat itself infinitely into the future. (The trouble with the argument is that even if we grant that time is infinite and the number of possible states of the universe is finite, it follows only that some of those states will repeat infinitely often, not that all of them will.)

Apart from the question of its truth, why did Nietzsche think this idea so important? Safranski is right, I think, to hold that it provided him with a form of sanctification of life without religion, for it made every moment of life eternal. The past has not ceased to exist, and the present is not vanishing as we live through it. Every moment of our being is real forever. And the *Übermensch* is the being whose capacity for self-affirmation will enable him to rejoice at this thought.

N IETZSCHE IS SO complex that he can be invoked in support of many outlooks, some of them brutal or nihilistic. The Nazis certainly found him encouraging, in spite of the fact that he was an outspoken anti-anti-Semite and an enemy of German chauvinism, and would have despised Nazism as an extreme manifestation of the herd instinct. He is sometimes regarded as a destroyer of the idea of truth and a prophet of postmodernism, though it is clear that he utterly rejected the notion that all perspectives are equal—and that he had at the least a robust sense of falsehood, which is difficult to separate from some conception of truth. One of the most interesting things about Nietzsche is his attempt to challenge the claims of objectivity as the privileged route to truth, without falling into non-judgmental relativism. Whether his perspectivism permits this reconstitution of truth on a new footing continues to be debated by readers

of Nietzsche, but Safranski does not say much about these semantic and epistemological subtleties.

On the positive side, Safranski finds a recurrent theme of support for what he calls bicameral thinking, the claim that a higher culture must give people, as Nietzsche says,

two chambers of the brain, as it were, one to experience science and the other non-science: lying juxtaposed, without confusion, divisible, able to be sealed off; this is necessary to preserve health. The source of power is located in one region; the regulator, in the other. Illusions, partialities, and passions must provide the heat, while the deleterious and dangerous consequences of overheating must be averted with the aid of scientific knowledge.

And Safranski comments:

The idea of a bicameral system flashes up again and again in Nietzsche's work and then vanishes, much to the detriment of his philosophy. If he had held to it, he might well have spared himself some of his mad visions of grand politics and the will to power.

As this suggests, the idea has moral as well as epistemological implications, even if Nietzsche did not draw them. The potentially anarchic will of the individual, which provides the heat of life, need not be destroyed by the acceptance of norms of justice and impartiality that incorporate the combined viewpoints of many individuals and attempt to reconcile them. An egalitarian morality need not crush individual freedom and creativity; it can be liberal, thus transcending the purchase of the freedom of the few at the price of the slavery of the many. This, too—the desire to live on mutually acceptable terms with our fellow humans—is a deep part of us; and here I would say that Kant had more self-understanding than Nietzsche, who felt the point of view of the other as an invasion from without. As often happens, the inebriating sense of power to unmask illusions gave rise, in Nietzsche's case, to illusions of its own.

Safranski ends with the image of Caspar David Friedrich's painting *The Monk by the Sea*: the individual in the face of immensity. "Kant," he says, "had asked whether we ought to leave the terra firma of reason and venture out into the open sea of the unknown. Kant had advocated remaining here. Nietzsche, however, ventured out." We can be grateful for what he found on the journey, and recognize that he invented new forms of self-examination that are now common property. At the

The Fourth Day

*Doomsday had but—but barely had—breathed its first
when I again remembered you as you were leaving.*
—Ghalib

The dead—so quickly—become the poor at night.
And the poor? They are the dead so soon by night ...
But whom the news has reached in the Valley of Death
(*The Belovéd is gone The Belovéd is gone*)
they are not the dead, they are the poor at dawn,
they who have come from shrines after breaking their heads
on the threshold-stones of God.

When you left flames deserted their wicks in the shrines.
Now they arrive with the poor to light up the few who have
returned from ashes, disguised as roses.
What possibilities the earth has forever covered, what faces?
They have arrived with wings, as burning moths, to put
themselves out on your grave.
From behind headstones they keep coming with the dead—
who are not the dead—
just the poor, wrapped in blankets, risen at dawn, walking
like the dead by the wrecked river ...
From behind headstones they keep coming toward us, silent
on a carpet by your grave.
They are not the dead. We are the poor at dawn.
When the flames are wrenched, gasping in knots, they are
not the dead. We are the poor at dawn.
And when the flames die, they leave what is left of their
hands.
In fingerprints they leave all their prayers on your grave.

Four days: And eternities have so quickly slowed down.
Only a few—disguised as roses—return from ashes.

They are the poor, not the dead at dawn, who have come to
weep with all their passion:
Doomsday barely begins when it repeats its beginning
(For what is Doomsday but the Belovéd's departure?)
and I again remember you leaving with the caravan of dawn.
Four days have passed. Eternities have slowed down:
See, see where Hussain's blood streams the sands.
They are not the dead, we are the poor at dawn.
I stood weeping in the desert and the sun rose.
And the sun fell on the roofs of the poor. And it fell on
mansions in the mountains.
Again I see you leave with the caravan of dawn.
Doomsday begins. It keeps on beginning.
And the Belovéd leaves one behind to die.

The sun has barely risen. They await us in the mosque.
We leave you alone; we leave the earth to you.
In the courtyard they are gathered. There's only Karbala in
their hearts.
And Abraham weeps. And God's angels weep.
And the sun still beats in the desert:
See, see where Hussain's blood streams the desert.
And God's angels weep. And Jesus weeps.
The Belovéd leaves one behind to die.
And with the wounded gazelle's wail in his heart (It is
Zainab's cry, It is Zainab's cry), an old man begins:
"Over Hussain's mansion what night has fallen ..."

Agha Shahid Ali

*In Islam, the Fourth Day marks the end of the first active period
of mourning. Agha Shahid Ali died on December 8, 2001.*

same time, we should distrust as signs of weakness his inflated heroics of rebellion, pitiless cruelty, and daring in the face of the abyss. And this is as it should be, for

Nietzsche did not attempt to produce a system fully defended against attack, but rather a method of attack that would work even against himself. ■

The Uses of Ugliness

By JOHN McWHORTER

Nigger:

The Strange Career of a Troublesome Word
by Randall Kennedy

(Pantheon, 226 pp., \$22)

NO WHITE PERSON calls me “nigger,” at least not when I am around. The white people with whom I come into contact seem aware that the word is today “the filthiest, dirtiest, nastiest word in the English language,” as Christopher Darden put it during the O. J. Simpson trial. I know “nigger” mainly as an affectionate in-group term favored especially by black men. Beyond this, “nigger” exists for me largely in euphemism, as what the media calls “the N word,” discussed more than used, the discussion usually exploring the popularity of the word among blacks.

Randall Kennedy’s book starts out with a chronicle of various recorded uses of the word in days gone by. When Booker T. Washington dined with Theodore Roosevelt at the White House, Senator Benjamin Tillman of South Carolina groused that “the action of President Roosevelt in entertaining that nigger will necessitate our killing a thousand niggers in the South before they will learn their place again.” That one hits home in how it casually situates “nigger” in a sentence with such elegant syntax, like a lump of mud set in molded aspic. Harry Truman was polite to Representative Adam Clayton Powell Jr. until Truman’s wife backed the DAR’s refusal to allow Powell’s wife, the acclaimed pianist Hazel Scott, to perform at Constitution Hall; and after Powell attacked Truman’s wife in the press for this, Truman referred to him as “that damned nigger preacher.” In 1947, members of the Philadelphia Phillies yelled the likes of “We don’t want you here, nigger” at Jackie Robinson from the dugout—as if “synchronized by some master conductor,” Kennedy remarks.

Such accounts of the racist epithet usually provoke yet another indignant call to ban “nigger” from American speech,

on the grounds that it is a symbol of the ugliness of the past. But in the second section of his book Kennedy presents an almost numbing parade of uses of “nigger” right here in the present, in our post-Civil Rights Act era, uses that are quite free of euphemism or irony. Illinois, 1977: a black man returns a defective product and the sales clerk writes on the sheet that he asks him to sign “Arrogant nigger refused exchange.” Ohio, 1994: a white employer calls a black employee a “sleazy nigger.” North Carolina, 1995: District Attorney Jerry Spivey sees the Denver Broncos’ Ray Jacobs talking to his wife and, drunk, says, “Look at that nigger hitting on my wife.” Florida, 2000: white high school seniors in a newsletter conclude a violent screed against a black teacher with “Die nigger.”

These observations are urgent, in their way. As increasing numbers of blacks and whites are speaking up against the culture of victimhood that is hobbling black America, it is becoming almost a cliché to chant that racism is not dead, but rarely is that chant bolstered with sustained documentation. It is easy to suppose at this late date that there is barely any overt racism left in the United States, beyond scattered hate-group yahoos whom most of us have never met. Kennedy’s catalog of mundane cases of explicit anti-black prejudice provides ample illustration of what lurks beneath the surface politeness of many whites. The sheer number of Kennedy’s awful examples implies the tip of an iceberg. The cases documented in court records are like the ancient creatures that randomly came to be fossilized: the preserved evidence captures hints of a vaster reality. Much of the reason that I do not get called “nigger” is that such language is especially stigmatized in the academic and artistic realms in which I circulate, which are, after all, the rarefied corners of

a much larger America.

But Kennedy’s book is not just one more book by a black academic dressing up the blame game in its Sunday best. Where many see blacks’ use of “nigger” as evidence of self-hate, Kennedy is heartened by it. He even goes as far as to give his stamp of approval to what we might call “nigger,” stage three—in which whites use the word with their black friends (and sometimes even their white friends) as a term of affection. Even before Kennedy’s book was published, leftist black academics were screaming foul as if “synchronized by some master conductor,” taking the line, common in such circles, that the word must be “stamped out.” The notoriously screechy columnist Julianne Malveaux judged that “you are just giving a whole bunch of racists who love to use the word permission to use it even more.” From Columbia Law School, Patricia Williams ruled that “seeing [‘nigger’] floating abstractly on a bookshelf in a world that is still as polarized as ours makes me cringe.” And of course there was the inevitable accusation of mercenary motivation: Houston Baker Jr. remarked that “I see no reason whatsoever to do this, except to make money.”

SUCH VIEWS ARE founded in an ignorance of the history and the nature of language, and they must be listed in a long line of vain attempts throughout written history to ban the use of words that offend. I do not know of a single recorded instance of a word that was truly driven out of usage by fiat. The most that one can do is drive a word underground—whereupon its taboo status lends it more power rather than less power, rather like the cultural prestige that was conferred upon drinking alcohol by the Volstead Act.

Kennedy’s game tolerance of the extensions of “nigger” among blacks and then back to whites is, linguistically speaking, on the right track. Human speech is intimate, spontaneous, and controlled mostly from the subconscious. It will submit to comment, but not to editing. Kennedy usefully focuses on the black use of “nigger” and on “nigger,” stage three, as evidence of the word’s dynamic transformation over time, even seeing blacks’ adoption of the word as itself the expression of psychological and historical agency, a self-empowering retort to the word’s original use as a slur.

Indeed, not only is it inherent in words to hang around despite attempts to extirpate them, it is also inherent in them to change their meaning over time. And not just the sexy, controversial words. “Silly” began as meaning, of all things, “blessed”; and its evolution into its current mean-

ing was a gradual, incremental process over several centuries. "Innumerable" began in its literal meaning, "unable to be counted"; but since something hard to count is usually numerous, the meaning has slowly evolved into "many." Twists such as these are what make Shakespeare's language so challenging. For him, "wit" meant "knowledge" (preserved in the expression "mother wit"), and not Noel Coward's sense of humor. When Polonius tells Laertes, "And these few precepts in thy memory/Look thou character," by "character" he means "write" or "inscribe." And in the original Shakespeare folios we can still see orthographical echoes of the fact that "Goodbye" began as "God be with you." The ugly nature of the past and present of "nigger" does not exempt the word, then, from this universal process of transformation. Words are like the clump in a lava lamp, and "nigger" is currently squishing around in the little hourglass like all the other words.

KENNEDY IS ESPECIALLY good in situating the campaign against "nigger" in the context of the hate speech movement. He staunchly comes out in favor of treating "nigger" as an example of "mere words" rather than classifying its utterance as a legally prosecutable assault. The policing of language by law encourages deceptive manipulations, such as Tawana Brawley's claim that white police officers raped her and scrawled "nigger" on her body in feces, now proven to be false but enshrined as a symbolic legend by scholars such as Patricia Williams. Also, the trip-wire sensitivity to perceived insult often leads to unjustifiable firings and other moral and legal imbroglios.

Kennedy takes us back to widely covered cases such as the firing of municipal supervisor David Howard in Washington, D.C. when he used the word "niggardly" in discussing a budget, and the dust-up in 1997 over the Merriam-Webster's Collegiate Dictionary's definition of "nigger" as "a black person—usu. taken to be offensive." In the latter case, a black computer technician read the definition as implying that all black people are "niggers," and even elicited a boycott threat from Kweisi Mfume. But she was deaf to context: dictionary entries record what a word is used to refer to, and sadly, the original meaning of "nigger" is often intended as a statement about all black people. This is an empirical matter. Kennedy appositely notes that this implies sanction no more than the same dictionary's listing for "honky": "a white person—usu. used disparagingly."

Cases like the dictionary flap are dismaying, given how readily many black thinkers and leaders insist that whites view black misbehavior "in context." One

might argue, in fact, that critical race theory, urging blacks to treat the race's "story" as their own, is based on an over-extension of context in legal and political thought. But then the dictionary case and the general call to classify "nigger" as "hate speech" turn around and propose to under-extend context, in the service of what Kennedy aptly terms "formulaic rage."

Kennedy also casts light on the frequent claims that the use of "nigger" is "on the rise." Julianne Malveaux, for example, recently claimed that the use of the word is "escalating." Kennedy objects that "too often the dramatic retelling of an anecdote is permitted to substitute for a more systematic, quantitative analysis." As always in his writings, especially in his under-read book *Race, Crime, and the Law*, Kennedy's commitment to racial justice is plain, and so is his impatience with the subverting of empiricism by the theatrics of the underdog. He frequently throws the cold water of common sense upon issues that are too often cloaked in glib histrionics: "After all, even when one is able to say that the number of reported incidents in a certain year was greater than the number of reported incidents in another year, there remains the problem of determining whether the reporting itself was a mirror of reality or a result of efforts to elicit from subjects their dissatisfaction with

conduct they perceived to be offensive."

Kennedy's most useful point on the "mere words" issue is not only that the use of the term "nigger" is increasingly infrequent in public, but also that in the end it is less harmful than the subtler operations of racism that really can impede self-realization. Kennedy cites three sterling sentences by Henry Louis Gates Jr. on this theme: "The real power commanded by the racist is likely to vary inversely with the vulgarity with which it is expressed. Black professionals soon learn that it is the socially disenfranchised—the lower class, the homeless—who are more likely to hail them as 'niggers.' The circles of power have long since switched to a vocabulary of indirection." In this way, focusing discussion and legislation on "nigger" channels our attention to the least harmful reflex of racism.

Here is where, once again, many black thinkers misread context in favor of the easy emotional score. In the vein of Kennedy's and Gates's point, I might note that I dissimulated a bit in saying that I have never been called a "nigger" to my face. A hard-drinking, working-class white man in the apartment complex in which I was living once mumbled, "Just a nigger anyway," after we had had an altercation over his screaming at his wife outside my apartment until two in the morning. But this

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elicited in me not rage, nor chills, nor tears. It provoked only a sense of victory. After all, I was just out of graduate school and on my way to an interesting career and a comfortable life. He, on the other hand, may very well still be living in that crummy building. He had clearly gotten about as far as he ever would in life. His use of "nigger" was a defensive yelp of last resort.

And so this exchange, for me, did not count as being "called 'nigger.'" The reason the word is such a hot potato is that its use supposedly cuts the African American hearer like a knife, reviving memories of how blacks were treated in decades past, disrupting our allegedly fragile egos. But I cannot say that experiencing this outburst from that man under those circumstances made me feel that Redwood City, California in 1994 was Birmingham, Alabama in 1963 all over again. Frankly, I took it as a musical return to the tonic, a pleasantly unequivocal sign that I had won the fight.

STILL, KENNEDY COULD have gone deeper on the reasons for the evolution of "nigger." Yes, the meanings of words always change, but it does not quite do simply to celebrate black comedians' rampant reveling in the word as a rejection of "boring conventions," as Kennedy puts it. The changing meanings of words do not always indicate progress. The word "hussy," for example, has its roots in the innocent "housewife." (Old English's *huswif* gradually transmogrified into *huzzif* and then *hussy*.)

Many people want "nigger" to disappear, but sometimes a word disappears only because other terms have arisen to convey the same sentiment more surreptitiously. Whatever happened to "token black"? As late as the 1970s, the expression was urgently wielded to call attention to the dehumanization of blacks by placing them in prominent positions as a cynical, quick-fix way of deflecting charges of racism. Today the left sees this very brand of tokenism as the permissible collateral damage of "diversity." Thus "affirmative action" has eased out "token black," distracting many from the fact that too often it is just this that the policy has fostered.

Along similar lines, blacks' in-group use of "nigger" is certainly one part affection, as Kennedy notes. Worldwide, humans recruit disparaging epithets as terms of endearment: humility is a necessary prelude to intimacy. In an episode of *Seinfeld*, George Costanza falls in with a clique of businessmen who refer to one another affectionately as "bastard," and he picks up the habit as he is accepted among them. One often can hear white friends referring

to one another in jocular vein as "mother-fucker." In Russian, the term *muzhik* technically means "peasant," but has evolved into a term of affection, indicating that a man is the "genuine article," a fine fellow. Young white women occasionally recruit "bitch" in this fashion: in the early 1990s at Stanford, a student-written feminist 'zine was called *Critical Bitch*. (The solicitation for submissions read: "Don't just be a bitch—be a critical bitch!")

It is thus no accident that, as Kennedy notes, even Asian teens in California are heard calling each other "nigger," in line with their adoption of hip-hop fashions, musical tastes, and attitudes. More than once in the Bay Area I have thought that I was hearing black teens only to discover that they were Chinese or Filipino. In this way the use of "nigger" by blacks is to an extent a warm and innocent leveler, equivalent to a sense among many people that getting intoxicated together is a kind of initiation of spiritual brotherhood. Among many black men, one has not really arrived as part of the group until one is being called "nigger."

But only briefly does Kennedy acknowledge the substantial role of self-hatred in all this. It is significant that it is this term, among all the odious expressions of racism, that has acquired such cachet. If affection and solidarity were really the only factor, then "motherfucker" could do the trick. But the use of "nigger" by blacks contains an echo of the internalization of the contempt of whites. It conveys not only that you are "a reg'lar fella," but also that you are "nothing but the lower organism that whitey thinks you are." All is not well when an obligato such as this bobs and weaves through casual conversations among black men across the United States.

There are times when this aspect of the word's meaning is painfully clear. Truman's calling Powell "that damned nigger preacher" was ironic when situated within a larger "context." But some years later, as Martin Luther King Jr. began to steal Powell's thunder, Powell dismissively asked: "Who's this nigger preacher?" He was animadverting in part on King's darker complexion and humbler origins. Powell, by contrast, was a phenotypically near-white scion of bourgeois upbringing. So King was "blacker" than Powell and thus, to Powell, a nigger.

Blacks' use of "nigger" may be affectionate, or creative, or a coping mechanism; but it is certainly more than just a cheeky refusal to be "boring." And this extends to "nigger," stage three. Kennedy actually describes two uses in this vein. One is whites' careful use of the word to their black friends. Kennedy notes a nimble depiction of this in Spike Lee's film *Bamboozled*, where a "down with it" white pro-

ducer cockily prides himself on knowing the taste of "niggers" better than the educated, buttoned-up black protagonist. My feelings about this usage are more ambivalent than Kennedy's, but never mind: overall, it recapitulates the challenging blend of affection and dismissal that Kennedy describes.

But the other convention of "nigger," stage three, is the increasingly prevalent attempts by whites to fashion "nigger" into a reference to people of all races who display inappropriate behavior, weak character, and slovenly speech. The most memorable recent example was Senator Robert Byrd's controversial remark that "I've seen a lot of white niggers in my time." Now, it would be lovely if "nigger" really did shed any association with a particular race, becoming synonymous with "wastrel" or "asshole." But in our moment, alas, this use of "nigger" makes me cringe. What I hear in "white nigger" is "white person who is so disreputable as to compare with the worst among even black people." The subtle implication is that the lowly black person is the lowliest person of all. At the very least it reveals a certain obsession with "the Negro" and his character. After all, why are we not using "wop," "spic," or "kike" in this way? Some might object that these terms are all now a tad archaic, but this only begs the question as to why they were not recruited in such fashion when they were current.

MUCH OF KENNEDY'S book consists of taxonomic outlineings of legal cases in which "nigger" has played a part; the second section particularly shows its roots in the law-review realm. (There is a whiff of Lexis-Nexis throughout the book.) Kennedy is a graceful writer, but finally this is not the full-scale "exploration" of a word and its significance that many readers might wish. Still, the book's brevity is one of its strengths. A plangent three-hundred-page disquisition on the word "nigger" would be a melodramatic, backward endeavor.

The obsession among many people with the word "nigger" boils down to this, roughly: "I am a strong and self-empowered person. Therefore the mere utterance of a racial slur referring to my race will reduce me to tears and helpless rage." This is a curious manifesto for a race on the rise, and I suspect that Kennedy would agree. In one of his best passages, he observes: "In stressing the 'terror' of verbal abuse, proponents of hate-speech regulation have, ironically, empowered abusers while simultaneously weakening black students by counseling that they should feel grievously wounded by remarks that their predecessors would have ignored or shaken off." When a white per-

son throws “nigger” at a black person, what he or she is saying is: “You are inferior to me because of your race.” The sad, simple fact is that if a black person can be reduced to sputtering despair by this word, then deep down he or she believes that the charge is true.

Our problem, then, is less linguistic than spiritual, less a word than a self-image. If black Americans truly love

themselves, then Kennedy’s two cents—businesslike, bite-sized, and focused on moving ahead rather than wallowing in the past—is just about all we need on “the N word.” And after we have perused the “Arts & Ideas” page and heard the lively talk-radio shows in the wake of this book’s appearance, let us get back to rebuilding the inner cities and addressing racial profiling. ■

bidden sites overseas and to have located and arrested people who set up forbidden sites within China. In late November, thousands of Internet cafés in China were closed.

Indeed, all the active dissidents inside China seem to have been imprisoned, as far as one can tell from outside. Although new rebels appear from time to time, they usually become known to the outside world only when human rights groups overseas announce their arrest. For dissatisfied workers or angry farmers, the regime has established a tacit ground rule for survival: keep protest non-political. The authorities will consider settling grievances that are couched in strictly local and specific terms, but they quickly enforce the red lines when broader issues such as workers’ rights are raised, or when a local protest makes contact with outside supporters.

The Dissenting Life

By ANDREW J. NATHAN

Bad Elements: Chinese Rebels from Los Angeles to Beijing by Ian Buruma

(Random House, 367 pp., \$27.95)

CHINESE DISSIDENTS WERE glamorous a decade ago. The regime in Beijing was struggling to recover from Tiananmen. A flow of fresh faces reinvigorated the democracy movement in exile. Wei Jingsheng, briefly released from jail in 1993, started contacting other dissidents around the country, signed a contract for a book of prison letters, was reincarcerated, and was regularly rumored as a likely winner of the Nobel Peace Prize. Just as Wei was “China’s Sakharov,” so the movement as a whole—at home and in exile—was seen as a group of staunch witnesses on the Eastern European and Soviet model, living in what Václav Havel called truth, testifying against a regime that was destined for the dustbin of history.

Today the regime has not only survived, it has even prospered. It enjoys the highest economic rate of growth of any major country; it has consolidated its position after September 11 as one of the responsible big powers; and it is displaying what looks like an orderly succession from one generation of leaders to another. Hu Jintao, the designated head of the new leadership (the Chinese call it the “fourth generation” of Chinese Communist leaders), recently completed a tour of European capitals, where he maintained his carefully cultivated—and, inside China, politically

useful—reputation for obscurity.

Meanwhile the dissidents have fallen on hard times. Many of the students who participated in Tiananmen regret that they did so, because they think that they demanded too much and thereby triggered a reversal of reform. They have gone into business in China or abroad, or found religion, or taken up newly popular ideologies such as neo-leftism and neo-conservatism (which, despite their names, mean much the same thing in the Chinese context: support for authoritarianism). In the early 1990s the overseas democratic activists tried to merge their two main organizations, which consisted of pre-June Fourth exiles and post-June Fourth exiles, into a common front; but the attempt failed, and the movement has continued to fragment and re-fragment into an archipelago of jealous groups. The activists’ consensus on peaceful change has also broken down, with small groups emerging that believe in a violent struggle for power, although so far as I know none has accumulated the means to make this vision a reality.

The Internet has provided dissidents with a new means of communication. A daily news service called “VIP Reference” (a sly allusion to the regime’s own classified system of internal “reference news” periodicals) webcasts forbidden information into China from abroad, and Human Rights in China runs a human rights website, and groups such as Falun Gong have used e-mail to coordinate their activities domestically. But in response the regime’s security police have set up their own Internet division, which seems effectively to have blocked most users’ access to for-

THE REGIME HAS also learned to use exile to its advantage. The activists of 1989 had to escape from China, which in some instances required long and hair-raising travels within the country, aided by an underground railway whose character remains mysterious to this day. The Tiananmen student leader Li Lu recalls being left overnight on a small outcropping of rock in the South China Sea waiting for a fishing boat from Hong Kong, which arrived but was scared off by coast guard cutters (either from China or Hong Kong, he doesn’t know). He later escaped another way.

By the early 1990s, the government began to realize that it could achieve more by exiling dissidents than by seizing them. There developed a trade in hostages somewhat less blatant than that which obtained years ago between East Germany and West Germany. Every year, in the lead-up to Congress’s annual review of what were then called China’s “most favored nation” trading privileges, the Chinese government would release into exile a few dissidents at the top of the American government’s wish list. In 1990 they released Fang Lizhi, the astrophysicist and patron saint of the student movement who had taken refuge in the American embassy in Beijing during the June Fourth crackdown. Fang ended up quietly teaching and doing research at the University of Arizona. In 1994 the government forced into exile Wang Juntao, one of the two intellectuals convicted as the main behind-the-scenes manipulators of the students. Wang is now a doctoral student at Columbia. His colleague Chen Ziming, who refused exile, has been bottled up in house arrest, where he is constantly harassed by security forces.

In 1997, the regime sent Wei Jing-

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sheng to the United States as part of the bargaining over the first U.S.-China summit meeting since 1989, a meeting that the Chinese government ardently desired. Wei shouldered what were probably impossible expectations that he would reunite and re-invigorate the democracy movement in exile. He has been tireless and principled. But he has also alienated many of the movement's members through his unwillingness to compromise, and he has forfeited the chance to engage in real policy dialogue by insisting that Western governments must not maintain normal trade or diplomatic relations with the PRC, a proposal that was outside the scope of actual policy debate. Wei's exile was followed in 1998 by that of the Tiananmen student leader Wang Dan, much of whose energy then disappeared into the maw of language study followed by graduate work at Harvard.

These were the people who had been at the top of the lists that American, European, and Australian leaders presented whenever they saw the Chinese authorities. The releases of these dissidents, therefore, constituted "progress" on the human rights agenda, and helped to bring about the progressive rehabilitation of Chinese diplomacy from the sanctions imposed by Western governments as a consequence of Tiananmen. Within China, it had another effect that the regime welcomed: the roster of active dissidents with national and international reputations declined.

It is hard to say why someone such as Xu Wenli, who was in prison then and is back in prison today, never became more of a poster child for the cause of human rights in China. Some within the human rights movement have certainly tried to promote his case. Ian Buruma mentions him briefly. He is certainly a deserving individual. He had a distinguished career of peaceful protest going back to Democracy Wall in 1979, and suffered enormously in prison. He remains thoughtful and moderate, and has an articulate family member in the United States who is willing to promote his cause. But his predicament inflames almost nobody. The problem may be prisoner-of-conscience fatigue among op-ed page editors, or the growth of an overwhelming (and erroneous) consensus that China's human rights situation has improved along with its economic growth and that all one has to do to solve China's remaining human rights problems is to continue to do business there. Other people in prison or under house arrest in China today also fail to generate the kind of attention that was lavished on Chinese dissidents through the mid-1990s.

Overseas—chiefly in the United States—

the former leaders of the democracy movement spend their time learning (or not learning) English, earning academic degrees, writing for the non-mainland Chinese-language press, or struggling for the diminishing resources available from a few donors, Taiwan-based organizations, and Western foundations. In 1999, the National Endowment for Democracy commissioned a study by Anne F. Thurston to find out which of the twenty-odd exile Chinese organizations funded by the NED were making the most effective contributions to building democracy in China. Thurston found most of the organizations working in great frustration and laboring hard to make small dents in a refractory situation. (Other funding for the exile democracy movement comes from European foundations, sources in Taiwan and Hong Kong, and people in the overseas Chinese community. Those funds are extremely tight.)

PROVIDING VIVID PORTRAITS of many of the exiles and their dilemmas is one of the accomplishments of Ian Buruma's fine and multi-layered book. Trained in Japanese and Chinese studies at Leiden, Buruma has traveled and worked in Asia for twenty-five years. He has written a novel set in India, a study of war guilt in Japan and Germany, a series of essays on East-West psychological and cultural encounters, and a study of Japanese culture, among other works. Now he trains his eye on greater China—the mainland, Taiwan, Hong Kong, Singapore, and the dissidents in exile—and asks a series of questions about the sources of dissent, the politics of exile, the "Asian values" thesis that freedom does not suit the "Oriental mind," and, at the most general level, what he calls "the problem of China"—why it is authoritarian and how long it will stay that way. All this analysis is built around a series of encounters with people whom Buruma calls "the Chinese awkward squad," those who at great personal cost have bucked the authoritarian politics of the Chinese culture area.

Buruma's conversations with dissidents have taken him from the United States to the periphery of China and then to the mainland, where he traveled from the special economic zone of Shenzhen to Lhasa in Tibet and finally to Beijing. The first thing that he provides about each place is his own response to the sights, sounds, tastes, and smells: "creamy white bean curd dunked in a sweet peanut paste" in Singapore, the "overpowering smell of sweet incense and of fried squid" in Taiwan, rain dripping off the hat and onto the nose of Prince Charles at the ceremony for Hong Kong's return to Chinese sovereignty, the muzak from a McDonald's out-

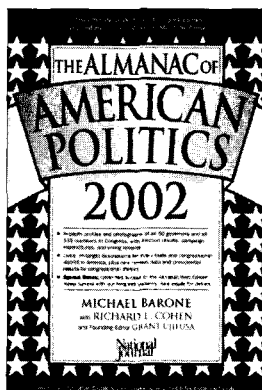
side a subway station in Beijing. This is a man who notices things. He remarks upon the shimmering sari of a transvestite entertainer in Singapore, and the unself-conscious way a young female elevator attendant in a Taiwan department store lifts one foot to scratch the back of the other leg, and the "louche dandy" look of Taiwan politician Shih Ming-teh, and the prevalence of prostitutes and massage parlors everywhere in China. The sensuality of Buruma's encounters may be largely irrelevant in a study of political dissidents, but it helps to drive home the point that these are real places and real people.

Except for Hong Kong, Buruma finds the Chinese cultural orbit either unsanitary or awash in schlock. He notes the "sulfurous orange" fog of polluted Taiwan traffic, a "large gold clock of truly extraordinary ugliness" in the office of Taiwan politician Annette Lu (who subsequently became Taiwan's vice president), the bombed-out look of the rapidly growing city of Haikou, the "brownish, humid haze" and "smell of blocked drains" in Shenzhen, the dynamited hills colored like "dried blood" and factories "belching pus-colored smoke" in Guangdong, and the "cheesy corpse" of Chairman Mao embalmed in his Beijing mausoleum. The physical images serve as metaphors for his theme of a political regime in decay.

BURUMA BRINGS THE same close observation and fastidious taste to his encounters with the dissidents. For an opener, he skewers three of the main heroes of the Tiananmen uprising, showing the female Tiananmen Square commander Chai Ling transformed into a smooth young management consultant in a "chunky gold watch" and a blazer and spouting sensitivity-speak; and the Tiananmen Square deputy commander Li Lu occupying an office on a high floor of a Madison Avenue building and shouting, "Hey, Bill, cancel my lunch with Dick on Tuesday"; and Wu'er Kaixi, the gutsy young Uighur who stood up to Chinese premier Li Peng on television in 1989, morphed into a chubby Taiwan media wannabe toting a cell phone and waiting for an important phone call that never comes. Buruma speculates that Chai Ling and Li Lu are "hated in the Chinese diaspora" because of their "facility for rhetoric or talent for lying." While it is true that these two are controversial figures in the émigré community, this is more out of envy that they landed on their feet in the West than because they have tried to stay atop the slippery pole of exile politics. In fact, Chai has exercised her right to drop out of politics, while Li has quietly done what he could to promote human rights without elbowing for the spotlight.

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—*The Almanac of American Politics on Pennsylvania's 1st Congressional District*



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Buruma is kinder to Xiao Qiang, the long-haired ex-physicist who has served for over a decade as executive director of the well-respected organization Human Rights in China. Xiao is unpretentious and plainspoken; he recently won a MacArthur award for his persistent work in establishing human rights as an effective focus of activity for Chinese pro-democrats. Buruma also gives a respectful hearing to Xiao's non-English-speaking colleague Liu Qing, who is president of the organization, and whose liaison with human rights victims inside China has been equally material to HRIC's success, and to several other of his informants.

Buruma devotes a whole chapter to Wei Jingsheng, perhaps the awkwardest of the awkward squad, and one of the most apolitical people ever to devote a life to politics. Buruma reports on "the sharp stubborn chin, the spiky hair and tobacco-stained teeth," and joins the chorus of journalists and friends who deplore Wei's excessive smoking and anarchic driving. He even goes below the belt to observe that Wei sometimes refuses to wear socks and shoes. He tells the story of a shouting match with the rival dissident Wang Xizhe just after a congressional hearing in Washington in January, 1999. Behind the clash was a mix of long-standing rivalries, disagreements over tactics, and jealousy on the part of Wang and his colleagues, who have invested as much of their lives in the democracy movement as Wei but have received less than a fraction of the attention. When Wang described Wei as a "bubble-star" with "poor vision" and a "moderate IQ," Wei retorted implausibly that Wang was a secret agent in the pay of the Chinese government.

The pettiness that erupted in Wang's attack on Wei is sadly common in the Chinese dissident movement, though it is rarely enacted in front of foreigners. Factionalism demoralizes the dissident community and contributes to its image of factionalization. But such pathologies are not uniquely Chinese, as so many Chinese ruefully believe. They are endemic to the politics of exile. Even Krupskaya's relentlessly upbeat *Reminiscences of Lenin* acknowledges that the great man was sometimes ground down by the politics of exile.

THE TROUBLE WITH exile is that, like an illness, you never know how it is going to turn out. Few regimes are overthrown; most collapse, if they are going to do so, of their own mistakes. The exile has to hope for misfortune to visit his countrymen so that he can become relevant. Meanwhile one suffers through doctrinal feuds with rivals over microscopic distinctions, the humiliation of lobbying foreign governments in a national cause,

and above all a series of mean-spirited struggles over diminishing stakes of money and reputation with people very much like oneself. The dissident scholar Hu Ping (who is not described by Buruma) has observed that whereas in China you cannot speak, in exile nobody listens. Most of the dissidents are intellectuals, and so they now truly suffer from Hamlet's "words, words, words" without action. This is probably what lies not only behind the internecine factionalism that Buruma observes, but also behind many of the paroxysms of guilt and the religious conversions.

One of the exiles who spoke most frankly to Buruma about guilt was Su Xiaokang, a writer driven from his successful career in China because he offered advice to the student demonstrators in Tiananmen Square. Su was working on a book when Buruma interviewed him, and this has now been published (in a translation by Zhu Hong) as *A Memoir of Misfortune*. By approaching it indirectly, Su manages to describe the experience of exile in his memoir in a deeper-going way than he did in his conversation with Buruma. The memoir focuses on a personal tragedy: Su's wife was severely injured in an auto accident after joining him in the United States, and made only a partial recovery after a long struggle. He says that the accident forced him to realize how he had neglected his wife, his son, and himself in the search for self-indulgent chatter and minor celebrity: "I had been basking in worldly gain and glory," but now "the Almighty decided to punish me by hurting her."

It is oddly self-denigrating to describe years of struggle and deprivation for a cause as a selfish search for gain and glory. Indeed, neither Su himself nor Buruma adequately acknowledges Su's practical accomplishment: nine years of editing the Chinese-language magazine *Democratic China*, which in its current online form receives more than a million and a half page views per month. More poignantly, it is unreasonable for Su to blame his wife's accident on his involvement in politics. All he did was let somebody else drive because he was tired after a late-night discussion of the situation at home. And yet Su's memoir makes these wounding emotional connections very real indeed.

Exile is demeaning. It undermines an activist's conviction that politics is a high calling for which it is noble to make sacrifices. In this light, what is remarkable about many of the people whom Buruma interviewed is their modesty and their balance in the face of years of such deprivation. The journalist Liu Binyan, the political scientist Yan Jiaqi, and Fang Lizhi, all of whom Buruma listens to sympathetically although not uncritically, remain reflective about Chinese realities, commit-

ted to peaceful change, and focused on a democratic future for their country.

There are also dissidents, on the other hand, who want to overthrow the Chinese regime by using violence, and who recruit followers by promising them a turn at the public trough. I was recently visited by such a person, who told me that he has a secret plan to destabilize the Chinese regime, spark uprisings, and send in armed agents across one of China's borders. (The plan did not strike me as realistic.) Such people talk about democracy in the hope of getting American or Taiwanese government support for their schemes, but they seem to have little idea of what democracy means. Buruma does not interview any of these more disturbing and less well-known exiles.

Another group of dissidents missing from Buruma's account—because they are in jail—are the dissidents who in 1998–1999 conducted the breakthrough experiment of openly establishing an unauthorized political party inside China. This was the China Democratic Party, the first nationally linked-up pro-democracy group in the history of Communist China. According to Teresa Wright in a forthcoming article in *The China Quarterly*, the CDP represented a political innovation in several ways: it maintained working ties with dissidents in Hong Kong and New York, it had support not only from intellectuals but from workers and others, it used the Internet to communicate, and it took the bold step of trying to register officially with the local authorities in several provinces. After a pause to allow a scheduled Bill Clinton–Jiang Zemin summit to take place, however, the authorities simply imprisoned all the group's leaders.

Yet another important dissident whom Buruma could not contact is Chen Ziming, the partner of Wang Juntao, who was labeled one of the "black hands" of Tiananmen in 1989 and is also under house arrest in Beijing. Chen continues to have an active network of supporters and collaborators at home and abroad, but he keeps his activities inconspicuous. Buruma did try to meet the senior intra-Party dissident Bao Tong, but Bao could not elude the watchers who enforce his house arrest.

I DO NOT mean it as a criticism of Buruma's rich portrait of the Chinese dissident community when I say that it is incomplete. The community is too big and too diverse to be captured in a single book. Buruma's purpose, in any case, is to use his encounters with certain activists as an occasion to reflect upon larger ideas. One of these is the argument that Chinese culture is inimical to democracy. To this end, Buruma's chapters on Sin-

gapore, Taiwan, and Hong Kong are as enlightening as his chapters on mainland dissidents in the United States and at home. He disagrees as forcefully with Hong Kong's chief executive Tung Chee-hwa and Singapore's Senior Minister Lee Kuan Yew as with the rulers of mainland China. All of them, he believes, build their political orthodoxies around the idea of distinctive "Asian values."

For Buruma, the allegedly Asian notions that "dissent means violence and disorder," that the Chinese favor group harmony over individual assertion, and that they prefer prosperity to freedom, are hoaxes designed to justify the grip of nervous autocrats on power. Buruma's portraits of Singapore's handful of mild and defanged dissidents—men who are all the more admirable for suffering so much for such modest demands—lend conviction to his indictment. Singapore's official drive for conformity is grossly disproportionate to any internal threat that such people could present. It is excessive even if one takes into account (as Buruma does not) the threats that Lee Kuan Yew perceives to his city-state from the hostile and demographically vast non-Chinese communities in nearby Malaysia and Indonesia.

Buruma's discussions of Hong Kong and Taiwan suggest that we can identify no such single thing as "Chinese culture" (or, by extension, "Asian values"). Besides the Chinese traditions of authoritarianism, there are also the Chinese traditions of individualism and rule of law, embodied in particular dissidents whom Buruma interviews, such as Hong Kong's Martin Lee, or by the innumerable participants in Taiwan's robust and self-confident democracy. There are even people with values like this in the mainland, such as Zhou Litai, whom Buruma visited, a lawyer who fights for compensation for victims of industrial accidents.

Buruma argues that one of the most effective ways authoritarians use culture to perpetuate their hold on power is through the very concept of "China." This becomes "an orthodoxy, a dogma, which disguises politics as culture and nation as race." Buruma is right: nationalism sometimes degenerates into a con game, a way for insecure governments to reshuffle their legitimacy a short step ahead of the rubes. Buruma's discussion of this trick is shrewd, and it nicely echoes much fine scholarship on "imagined communities" and "ethnic entrepreneurs."

But is his point true about China? I doubt that Chinese nationalism is mainly a creation of the regime. To take a recent example, after the accidental American bombing of the Chinese embassy in Belgrade in 1999, the Chinese government knew that it could not afford to take suffi-

ciently muscular action against the Americans to satisfy the mass demand for retaliation. According to a recent book in Chinese, *Zhu Rongji in 1999*, by Zong Hairen, some Politburo members actually saw the bombing as a conscious American attempt to arouse just such a mass nationalist reaction in order to unseat the Chinese government. This was why the regime organized its own demonstrations around the American embassy and other American facilities, which it could control more easily than spontaneous demonstrations. One is reminded of Tolstoy's argument that Napoleon had to order a march on Russia because the masses were already marching.

THE ISSUE OF culture broaches Buruma's largest topic, "the problem of China." From the mouths of ordinary people during his travels, Buruma receives frequent testimony that the government has lost the people's support. There is "an unmistakable stink of political, social and moral decay." He becomes convinced that we are near the end of the Communist dynasty, though no one can say when the regime will fall or what will follow it. Concentrating as he does on the dissidents, Buruma does not give many reasons why the regime should be expected to fall, other than his own revulsion against the decay of Chinese society and the Chinese landscape.

But others have recently pursued such an analysis in depth. In a recent book called *The Coming Collapse of China*, Gordon Chang points to over-exploited peasants, laid-off workers, disaffected ethnic groups, doubting intellectuals, a de facto bankrupt financial system, corruption, the crisis of faith, and the pending economic consequences of China's entry into the World Trade Organization as reasons why the system cannot survive. Other experts have expressed deep doubts about this diagnosis. After all, many expected the Communist regime to collapse in 1989, and it is still with us.

So how does the regime manage not only to hang on to power, but by all appearances to preside over a growing economy, maintain social order, remain unified as a political elite, and prepare what looks like an orderly succession? A part of the answer may lie with the failure of the dissidents to provide an alternative around which dissatisfied groups can rally. As Adam Przeworski once observed, "As long as no collective alternatives are available, individual attitudes toward the regime matter little for its stability. What is threatening to authoritarian regimes is not the breakdown of legitimacy but the organization of counter-hegemony: collective projects for an alternative future."

Buruma's dissidents may embody an alternate vision of Chinese culture, but they certainly have not organized a new Chinese politics.

Still, it might be too early to count the dissidents out. Politics is partly about time and timing, endurance and opportunity. And the political history of exiles is surprisingly successful. Mazzini, Sun Yat-sen, Lenin, King Juan Carlos of Spain, Ayatollah Khomeini, Kim Dae Jung—many political leaders served their causes for years in exile. The prospects of Afghan exiles seemed dismal for decades, and now their time appears to have come. And as Buruma points out, for years "Taiwanese dissidents abroad were as impotent and as easily dismissed as irrelevant as the mainland dissidents are today," but now they are among those in power.

Differences between Taiwan and the mainland make it foolhardy to expect the same thing to happen in China. But even if exiles do not return home to power, it does not mean that they have done nothing useful. Indeed, if Buruma's sharp eye betrays a blind spot, it is for the substance of the dissidents' work. He admires their courage and he is charmed by their individuality, but he pays too little attention to the solid work that some have done to advance the slow-moving project of China's democratization. The journalist Dai Qing has brokered a stream of useful exposés about the Three Gorges Dam project. Human Rights in China has done essential human rights research and advocacy. Scholars such as He Qinglian, Hu Ping, and Wang Juntao have thought through problems in ways that one day may shape Chinese public philosophy and public policy. Above all—and this Buruma does make amply clear—the dissidents as a community have performed the essential office of witness. One can only imagine how China would look to us if they did not exist. As Buruma says about Wei Jingsheng, "As long as he is there, no one can say that Chinese don't care about freedom."

Whatever they may or may not ultimately achieve, whatever their personal flaws, it is indisputable that these people are heroes. Why do a few people persist in the face of such frustration and punishment in saying what they believe? It is a puzzle that has always been hard to understand, about Chinese dissidents or about the defenders of human rights in other oppressive regions of the world. Buruma presents the problem in a vivid and incisive way through his interviews. No more than anyone else can he resolve it. Perhaps the question is unanswerable because such heroism is primary and irreducible: the occasional eruption through the nasty surface of political life of the simple desire to be human. ■

BUENOS AIRES DIARIST

Tale of Two Cities

THE TROUBADOUR HAD spent the evening crooning tango standards and blowing kisses to the crowd at the pricey Café Tortoni, just off Buenos Aires' main road, Avenida de Mayo. So it seemed strange when, at the end of his act, the singer hardly acknowledged the patrons' applause. Instead, he pushed his way to the door of the café, discarded his red lounge suit, and brusquely exited. The troubadour, it turned out, knew more than his audience did. Specifically, he knew that the street violence—a nightly ritual during my time in Buenos Aires last week—was about to begin. Just a few blocks from the café doors, young and old were pouring out onto Buenos Aires' grand boulevards to vent their anger over Argentina's economic meltdown.

I LEFT CAFÉ TORTONI SHORTLY AFTER the singer, and walked a short distance to Casa Rosada, the old home of Eva Perón and a popular gathering spot for the rioters. The sidewalks were crowded with young men and women, the streets clogged with vans full of workers from provincial towns who were pouring into the capital. Within the hour the violence began: Some in the crowd shattered bank windows; others targeted stores, forcing shopkeepers to give away whatever food they had left. Protesters set upon the police, beating them with bottles and their hands until the police retaliated with rubber bullets. Others lit fires in the streets, forcing cars to slalom crazily around burning garbage. A handful of protesters even made their way into Argentina's parliament, where they smashed windows and set small fires within the building. The evening's final tally: twelve police officers seriously injured along with an unknown number of protesters (police weren't saying). Someone at my hotel told me the next morning that the evening had been low-key, at least when compared with some of the nightly clashes the week before that had left more than 25 people dead.

THE ECONOMIC MELTDOWN THAT triggered the riots is no shock: It's been coming for four years. But it was surprising how quickly Argentina's seemingly First World society cracked, and even more surprising how it appeared to crack only in certain neighborhoods. Downtown, in the government and business district, looters snatched drinks out of stores, one rioter specifically demanding that a terrified shopkeeper give him only cans of Fanta. But throughout the days of tumult, just a few blocks away in the city's ritzy Recoleta section—a South American version of the Upper East Side—waiters in upscale bistros poured bottles of sparkling water for their relaxed patrons, everyone seemingly oblivious of the chaos nearby.

THE DIVIDE BETWEEN ARGENTINA'S workers and elites manifested itself in other ways as well. Until his resignation, the country's then-economy minister, Domingo Cavallo, clung to plans to slash workers' pensions and freeze bank accounts, further debilitating the already weakened middle and working classes. In the midst of the crisis, Argentina's newly elected senate voted itself an average salary of 10,000 pesos (or \$10,000) per month, with a variety of perks, including the opportunity to trade in their free airline tickets for cash. On the days leading up to Christmas, when the country's economic crisis became full-blown and the rioting intensified, then-President Fernando de la Rúa responded with a television address, but he showed virtually no compassion in an icy, flat speech.

WHEN I LIVED IN THAILAND IN THE late 1990s, during the time of the Asian financial crisis, Bangkok's mandarins and its working class appeared broadly united about how to handle the country's economic problems: Stall reforms, increase state spending, and blame problems on the International Monetary Fund (IMF). Granted, this unanimity may not have helped the economy. Rather, state spending led to massive public debt, and blaming the IMF allowed banks to avoid internal reforms. But at least the consensus meant Bangkok didn't erupt into prolonged social chaos—just some scattered protests and looting.

NOT SO IN ARGENTINA. HERE, THE rich and the middle and working classes have decidedly different ideas about how to halt the country's economic meltdown. In the view of many Buenos Aires economists and other elites, the country actually needs to go through more dislocation; they believe Argentines will only embrace reform when the country descends into

total crisis. Thus the editorialists of the *Buenos Aires Herald*, a business paper, have pleaded with the IMF not to give Argentina any more loans, in order to "bring the crisis to a head." As Juan Luis Bour, a Buenos Aires economist, put it to the *Chicago Tribune*, "Maybe the IMF was not strong enough when asking for fiscal discipline from Argentina." But those further down the economic ladder tend to have a different take on the IMF's role in the crisis: As one protester, Maria Luisa Lerer, told the Associated Press, "They are robbing the people!" Indeed, many working and middle class Argentines, who once enjoyed a standard of living envied throughout Latin America, actually support a return to the populism of the Perón era, when the state protected local industries and supported unions. Thus the rioting near Casa Rosada and the notes I saw posted on Eva Perón's tomb, pleading with the ghost of the former first lady to return to Buenos Aires and save the poor. It's little wonder there's fear among the global financial press that Argentina will go the way of Venezuela, Colombia, and Brazil, where the popularity of left-wing political groups has surged in recent years.

AS THE RIOTING BUILT TO A crescendo last week, political leaders tossed out one remedy after another: They announced the introduction of a new currency to boost consumer spending; they suspended foreign debt payments; they shook up the government. But few in Buenos Aires imagine that any of these efforts will solve Argentina's problems. The new currency could quickly become worthless; the suspension of foreign debt repayment may lead to Argentina's ostracism from foreign markets; and the ever-shifting government—Cavallo and de la Rúa's administration fell shortly before Christmas, only to be replaced by four interim presidents in rapid succession—is less suggestive of hopeful democratic renewal than of Third World instability. Protests continue throughout Buenos Aires, and now the Casa Rosada is guarded by army troops, a chilling reminder of Argentina's history of military coups. And throughout the capital, taxi drivers, always on the vanguard of public opinion, summarize the situation for tourists. "Here we have two parties: the thieves and the incompetents," one Buenos Aires cabbie told me. "They are devouring Argentina."

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THE EAGLE, THE ELK AND THE WARRIOR

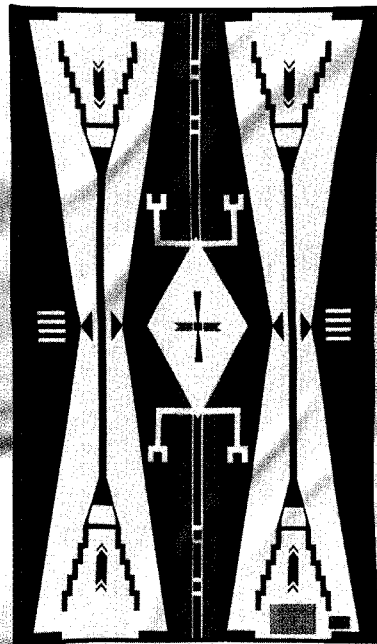
One day, a Cheyenne warrior was hunting alone, on foot. He came upon an elk lying dead by the side of a stream. Trapped in the antlers of the fallen elk was a large spotted eagle. The eagle spoke to the hunter.

"Free me from here," the eagle said, "and I will give you a gift."

The warrior did as the eagle requested. He lifted the elk's antlers and the eagle was free. As the great bird flew away, it said to the warrior, "Go over that next hill and you will see your gift." When the bird was gone.

The warrior climbed the hill and when he reached the top he looked into a valley. There at the foot of the hill was a horse, its coat the same black and white as the eagle's feathers. This horse was the eagle's gift.

The Cheyenne Eagle Blanket is an interpretation of this legend as told by Ben Nighthorse Campbell. It employs traditional Cheyenne graphics and parfleche design elements to retell the story. This limited-edition saddle blanket, measuring 66" x 40", is the third in the Spirit Series of Native



American Blankets. It is woven of pure wool by the Pendleton Woolen Mills for the American Indian College Fund.

Thanks to the generous donation of materials and time, 70% of the proceeds from the sale of this blanket go to fund our colleges and our scholarship programs. To learn more, call 1-800-880-5887 or visit our Web site at www.collegefund.org.

The eagle's gift was great because, at that time, a horse could mean the difference between a prosperous life and the struggle for simple survival. Today an education can make that same difference. The generous gift of your support helps our colleges thrive and our people grow.



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American Indian College Fund
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Through Florida's A+ Opportunity Scholarship Program, Tracy Richardson chose a school for her daughter, Keshia.

"Minority Parents Quietly Embrace School Choice"

So reads the page one headline in a recent edition of *Education Week*, an authoritative national publication on American education. The December 5, 2001 issue included compelling in-depth articles, by reporter Karla Scoon Reid, on support for expanded educational options among African American and Hispanic parents. Ms. Reid introduced the series with the following background:

School choice continues to capture attention in policy and political circles, the subject of debates, research papers, polls, and election campaigns. But it is also of keen interest to American parents, especially to African-Americans and Latinos living in urban districts where finding a first-rate education for their children can be a struggle. Once considered public education's core supporters—and therefore not likely to welcome alternatives to regular public schooling—some of these minority parents have instead quietly embraced charter schools, publicly financed voucher programs, and voucher-style private scholarships. Their decisions often put them at odds with the organizations and politicians that have traditionally championed their causes.

For when it comes to the education of their children, the five families profiled here all say, ideology and politics come in a

distant second. None of these black or Hispanic families was willing to wait for promised improvements in the local schools.

All remain supportive of public education, however. Some say they simply wanted an alternative for a particular child that was not available in district schools, and they still send their other children to public schools.

Parental School Choice is Widespread — Unless You're Poor.

Whatever these parents' concerns and perceptions, their families' stories go beyond impersonal numbers and the constraints of poll questions to help explain the appeal of school choice. Their experiences help illuminate the realities that lie behind the politically charged

debate over the growing array of educational options available to or proposed for students in the United States.

"We're not listening to these parents," contends Vernard T. Gant, the director of urban school services for the Association of Christian Schools International in Colorado Springs, Colo. "They know what they're doing."

The Black Alliance for Educational Options (BAEO) urges everyone to read the complete set of articles by Ms. Reid. They are available on the *Education Week* website at www.edweek.org.



Black Alliance for Educational Options

For more information go to: schoolchoiceinfo.org or baeo.org